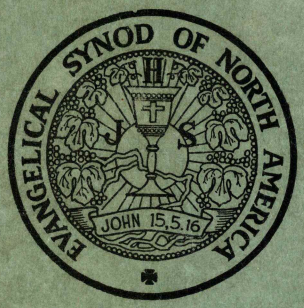
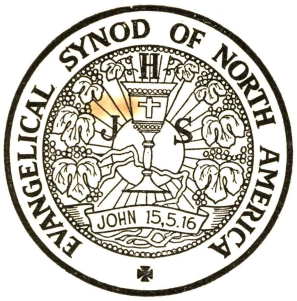
CONSTITUTION
AND
BY-LAWS



Adopted by the
Extraordinary General Conference

CONSTITUTION
AND
BY-LAWS



Adopted by the
Extraordinary General Conference

In preparing manuscript of Constitution and By-laws for the printer errors of interpunction and grammar were corrected. That portion of by-laws adopted without discussion necessarily was brought into harmony with the adopted constitution and by-laws.

For this particular work I have appointed the committee of Rev. T. Lehmann, Rev. J. P. Meyer, Mr. John W. Mueller, Mr. Wm. C. Hazelbeck, Mr. Paul Pfister and Rev. H. P. Vieth, secretary.

I am herewith presenting the work of the committee with recommendations. Certain necessary changes will be found printed opposite the text of the constitution and by-laws. These changes are expedient for the harmonizing and proper functioning of both the constitution and by-laws.

May I ask the districts to please take notice thereof and act upon these recommendations.

J. Balhorn.

President.

CONSTITUTION

Article I. Name

The name of this organization shall be: "The Evangelical Synod of North America."

Article II. Confession

The Evangelical Synod of North America, as a part of the evangelical church, defines the term evangelical church, as denoting that branch of the Christian church which acknowledges the Holy Scriptures of the Old and New Testament as the Word of God, the sole and infallible guide of faith and life, and accepts the interpretation of the Holy Scriptures as given in the symbolic books of the Lutheran and the Reformed Church, the most important being: The Augsburg Confession, Luther's and the Heidelberg Catechisms, in so far as they agree; but where they disagree The Evangelical Synod of North America adheres strictly to the passages of the Holy Scriptures bearing on the subject, and avails itself of the liberty of conscience prevailing in the evangelical church.

Article III. Object and Purpose

The object and purpose of The Evangelical Synod of N. A.* shall be the promotion and extension of the Christian religion, the establishment of schools, seminaries, and colleges for the education of youth and clergy, the erection of churches and of other and any religious and charitable institutions, the promotion and furtherance of interests of the Christian religion, of education, of the arts and sciences, and of charitable purposes generally.

Article IV. Powers

The Evangelical Synod of N. A. may receive, take, hold by gift, purchase, devise, bequest or otherwise, any property in any state, province, territory or country, and whether

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* Wherever the abbreviation N. A. occurs after the name of the Synod, North America is to be understood.

real, personal, or mixed, for the use and purpose of said Synod, and may convey, sell, lease or encumber its said property for the purposes stated, and may do any and all things for the accomplishment of the purposes herein stated.

It may enact from time to time appropriate by-laws consistent with the provisions of this constitution.

Article V. Membership

The membership of The Evangelical Synod of N. A shall consist of lay members organized into congregations, pastors, and commissioned workers.

The rights, duties, and conditions of membership of lay members, pastors, and commissioned workers shall be defined in the by-laws, as shall also the status, rights and duties of congregations.

Article VI. Organization

Section 1. How Constituted

The Evangelical Synod of N. A. is divided into districts, subordinate and responsible to the general conference for their activities and regulations.

The districts are divided into regional conferences, subordinate and responsible to the respective district conferences.

Section 2. Form of Government

The government of the Evangelical Synod of N. A. shall be representative, and shall be vested in the following branches: legislative, executive, and judicial.

A. Legislative

PARAGRAPH 1. THE GENERAL CONFERENCE

The Evangelical Synod of N. A. enacts its legislation through its general conference. All matters or powers pertaining to synodical affairs, not delegated to the districts by this constitution, the by-laws, or resolutions of the gen-

eral conference, together with the following powers and privileges, are hereby reserved to the general conference.

1) The adoption of the constitution and by-laws of the Synod, their manner of enforcement and modification, and the adoption of the book of worship, the catechism, the hymnal, and all publications in which the doctrinal position of the Synod is expressed.

2) The determination of the relationship and of the official representation of the Synod in its association with other religious communions.

3) The establishment or abolition of boards of administration for all synodical institutions and for the organized activities of the Synod.

4) The division of the territory of the Synod into districts, the establishment of new districts, and the changing, merging, or abrogating of existing districts.

5) The regulation of its judicial procedure.

6) The power to pardon, exercised by a resolution adopted by a two-thirds vote.

PARAGRAPH 2. DISTRICT CONFERENCES

All matters or powers solely appertaining to the districts, and not regulated by this constitution, the by-laws, or the resolutions of the general conference, are subject to legislation by the districts. It shall be their right to submit resolutions and petitions to the general conference, general council, board of directors, or general officers.

PARAGRAPH 3. REGIONAL CONFERENCES

The regional conferences shall have such legislative authority, consistent with the constitution and by-laws of the Synod, as their resprective districts may grant them. Their functions shall be defined in the by-laws.

B. Executive

PARAGRAPH 1. SYNODICAL ADMINISTRATION

The administration of the affairs of the Evangelical Synod of N. A. is committed to the officers, the board of

Recommendations for Changes in the Constitution and By-Laws

Article 6, Section 2, B. 1, 3.

The committee recommends that the paragraph be changed to read: "The general council shall consist of the board of directors and—."

This will add only two persons to the council and is necessary because the board of directors functions as the executive committee of the general council. Therefore, unless this change is made, the position and powers of the board of directors will always be in doubt.

directors, the general council, and the administrative boards as follows:

1) The Officers.—The officers of the Synod shall be a president, first and second vice-presidents, a secretary, and a treasurer, who shall be elected by the general conference to serve until the next regular general conference following their election, and until their successors have qualified for office. The manner of their election and their rights and duties shall be defined in the by-laws.

2) The Board of Directors.—The board of directors shall consist of the synodical officers, and two (2) members at large, at least one (1) of whom must be a lay member, who shall be elected by the general conference to serve until the next regular conference following their election, and until their successors qualify for office. The board of directors shall represent the Synod in all transactions requiring a legally constituted and recognized board of directors and shall appoint such board or boards of trustees as may be necessary legally to qualify the Synod in the states in which it may be incorporated. Their rights and duties shall be defined in the by-laws.

3) The General Council. — The general council shall consist of the officers of the Synod and the representatives of the districts as provided for in the by-laws, to serve until the next general conference following their election, and until their successors have qualified for office. The president of the Synod shall be its chairman. The general council shall establish the budget of the Synod, correlate the varied activities of the boards, and direct the work of general promotion. Its rights and duties shall be defined in the by-laws.

4) The Boards.—The boards shall be the administrative and promotional agencies entrusted with the management of specific branches of synodical work. They shall be created by the general conference, to which they are amenable, and operate under the supervision of the general

council. Their number, personnel, and manner of election, and their rights and duties shall be defined in the by-laws.

PARAGRAPH 2. DISTRICT ADMINISTRATION

The administration of the acairs of the districts shall be committed to their respective officers, councils, and boards:

1) District Officers.—The officers of the respective districts shall be a president, a vice-president, a secretary, and a treasurer. The manner of their election and their rights and duties shall be defined in the by-laws.

2) District Councils.—The district councils shall be the administrative and promotional sub-agencies for the synodical work in their respective districts, subject to the direction and supervision of the general council and other legally qualified synodical authority. The district councils shall consist of the respective district officers and three members at large. The manner of their election and their rights and duties shall be defined in the by-laws.

3) District Boards.—The district boards, corresponding to and cooperating with the synodical boards, shall be elected by the respective districts. Their number, their personnel, the manner of their election, and their rights and duties shall be defined in the by-laws.

PARAGRAPH 3. REGIONAL ADMINISTRATION

The administration of the affairs of the regional conferences shall be committed to their respective officers. The officers of the regional conferences shall be a president, a vice-president, a secretary, and a treasurer. The manner of their election and their rights and duties shall be defined in the by-laws.

C. Judicial

PARAGRAPH 1. DISCIPLINARY AUTHORITY

The disciplinary authority shall be vested in the administrative heads of the Synod and its various departments, and shall be exercised as provided for in the by-laws.

PARAGRAPH 2. JUDICIAL AUTHORITY

The judicial authority shall be vested in the district courts and the supreme court, as provided for in the by-laws.

Article VII. Amendments

The constitution and by-laws of The Evangelical Synod of N. A. may be amended at any time and in any part as hereinafter provided.

Section 1. Articles I and II, and Article VII, Section 1, of this constitution may be amended by a three-fourths vote of the general conference upon petition of a majority of the districts.

Section 2. All other articles of the constitution may be amended by a two-thirds vote of the general conference upon petition of not less than five districts.

Section 3. The by-laws of this organization may be amended by a two-thirds vote of the general conference upon petition of not less than four districts.

The constitution as a whole was adopted by the following resolution:

"Be is resolved, that the constitution heretofore in this conference adopted by paragraphs be adopted as the constitution of The Evangelical Synod of North America."

Done at Chicago, Ill., October 7, 1927.

BY-LAWS

CHAPTER A.—MEMBERSHIP IN THE EVANGELICAL SYNOD OF NORTH AMERICA

Division I. Lay Members

Article I. Conditions of Membership

Section 1. The membership of lay members is based on membership in a congregation united with the Synod.

Article II. Rights of Lay Members

Section 2. Lay members in good standing of any congregation united with the Synod have the following rights:

1) The right to voice and vote in their respective regional and district conferences through their chosen representatives as provided for in these by-laws.

2) The right to be represented at the general conferences as provided for in these by-laws.

3) The right of eligibility to any regional, district, or synodical office, under such limitations as are provided for such offices.

Article III. Duties of Lay Members

Section 3. Lay members in good standing of any congregation united with the Synod shall have the following duties:

1) They shall devote themselves to the winning of others to Christ and the church, and according to their knowledge of Christ increasingly apply the principles of his kingdom to all human relationships.

2) They shall attend all conferences and conventions to which they are delegated, fill any office to which they are elected to the best of their ability, and perform conscientiously any task assigned to them by the Synod through its officials or official boards.

3) They shall contribute according to their means to the support of their congregation and to the work and administration of the Synod.

Division 2. Congregations

Article I. Status of Congregations

Section 4. The status of a congregation in the Synod is based on the following conditions:

1) Organization for the purpose of Christian worship and extension of the kingdom of God.

Section 5, 1.

Add at the close "as herein-after provided."

The committee recommends this addition to avoid the use of this paragraph for the purpose of over-ruling the rights of the district presidents, and for a continuation of the disorder so often prevalent in the filling of vacancies.

2) Incorporation, where possible, under the law of the state.

3) Union with the Synod upon recommendation of the district council, subject to approval by the board of directors of the Synod, and by a two-thirds vote of the respective district conference.

Article II. Rights of Congregations

Section 5. Congregations whose status in the Synod has been duly and legally established shall have the following rights:

1) The right to call and to be served by a pastor or pastors and such other commissioned workers as their needs may require.

2) The right to determine the qualifications, rights, and duties of their members, subject to the provisions of the constitution and by-laws of the Synod.

3) The right to regulate their own affairs in a manner consistent with the constitution and by-laws of the Synod.

4) The right to appeal directly to the officers, the boards, and the courts, of the district and of the Synod.

Article III. Duties of Congregations

Section 6. Congregations whose status in the Synod has been duly and legally established shall have the following duties:

1) To devote their entire organization to the task of winning others to Christ and the church and of training their entire membership for the work of the church and the kingdom.

2) To submit to the discipline of the Evangelical Synod of N. A., and to observe its constitution, the by-laws, and the resolutions of the general and district conferences.

3) To support the organization of the Evangelical Synod of N. A. by remitting:

a) Into the treasury of the Synod such sums, in monthly or quarterly payments, as may be required of them for the budget, and such other sums as love for the work may direct.

b) Into the treasury of their respective districts such sums as may be required for the budget of the district.

c) Into the treasury of their respective regions such sums as may be determined by the regional conferences to meet their requirements. This responsibility may be borne by the congregations as such, or by their collective organizations.

4) To regard as members all who are admitted to the communicant membership of a congregation by confirmation, by church letter, or upon confession of faith, and who maintain an active relationship with the congregation and with the work of the church, and are in good standing.

Section 7, 2.

"Ordination in accordance and consistent with the recognized practices of the Evangelical Synod of N. A."

The committee recommends this change because the term "provisions" seem doubtful in its meaning and application.

5) To elect as representatives to the respective district and regional conferences lay delegates and their alternates. Congregations having more than 300 members shall be permitted an additional lay delegate for every additional 400 members or major fraction thereof; provided however that no congregation be entitled to send more than one lay delegate unless it has paid in full its synodical and district budget obligations in the preceding year.

6) To pay the traveling and entertainment expenses of their pastors, commissioned workers, and lay delegates to the district and regional conferences.

7) To make such reports as are required of them for statistical and other purposes.

8) To report within ten days following their election the names and addresses of their presidents and secretaries to the office of the president of their respective districts and to the office of the president of the Synod, and to file notice thereof if required by the laws of their respective states.

9) To report to the president of their respective districts any vacancy occurring in the pastorate or the position of any commissioned worker. In the filling of such vacancies they must avail themselves of the offices of their district president, and avoid all unseemly competition by considering each applicant separately and voting on his acceptance or rejection before considering another applicant. If the congregation desires to call a pastor who is not a member of The Evangelical Synod of N. A., the approval of the district council must be secured prior to his call.

Division 3. Pastors

Article I. Conditions of Membership

Section 7. The membership of a pastor in the Synod is based on the following conditions:

1) An adequate theological training, to be approved by the faculty of Eden Theological Seminary, and the necessary spiritual qualifications, to be determined by a special commission appointed by the board of directors.

2) Ordination in accordance with the provisions of the Evangelical Synod of N. A.

3) Acknowledgment of the basic creedal position of the Evangelical Synod as expressed in Article II of its constitution.

4) Service rendered to the Evangelical Synod as pastor of a congregation served by the Synod; or as pastor working in a home or foreign mission field; or as pastor filling any office

in the Synod, or in any synodical institution or board; or as pastor engaged in interdenominational activities subject to sanction by the board of directors. A pastor retiring from the active ministry by reason of old age or sickness shall not thereby forfeit his membership.

5) Reception into the Synod upon recommendation of the respective district council, with the approval of the board of directors and of the clergy of the district, by a two-thirds vote of the district in plenary session.

Article II. Rights of Pastors

Section 8. Any pastor whose membership in the Synod has been duly and legally established shall have the following rights:

1) The right to voice and vote in his respective district and regional conferences.

2) The right of eligibility to any regional, district, or synodical office, under such limitations as are provided for the respective offices, and as delegate to the general conference.

3) The right to share in the benefits of the synodical system for ministerial pension and relief, provided he has fulfilled his obligations thereunto.

4) The right to have his application submitted to any vacant congregation by the respective district president. His acceptance of a non-synodical congregation, however, shall be subject to approval by the district council, to which he is amenable.

5) The right to appeal directly to the officers, the boards, and the courts, of the district and of the Synod.

Article III. Duties of Pastors

Section 9. Any pastor whose membership in the Evangelical Synod has been duly and legally established shall have the following duties:

1) His time and his talents shall be devoted to his ministry in the congregation and the advancement of the kingdom of God at large, or to the administration of any office he may hold in the Synod, in any synodical institution, or in any branch of synodical work. Therefore, he shall avoid following any unrelated avocation that would dissipate his efficiency as a pastor.

2) He shall preach the word of God and shall endeavor to present the whole truth of the kingdom without fear or favor of man.

3) He shall administer the holy sacraments instituted by Christ in accordance with the principles and customs prevailing in the Evangelical Synod of N. A.

4) He shall be charged with responsibility for the religious education of children, youths, and adults, availing himself of the existing agencies of the Evangelical Synod of N. A.

5) He shall devote himself to the spiritual nurture and counsel of souls in his care and minister faithfully to the sick and needy. Any confidences or information of a private nature given him in the course of his pastoral offices shall be deemed a privileged communication and shall be held confidential.

6) In his relation to the Synod he shall observe the laws and rules of the Synod and submit to its discipline. He shall attend regularly all meetings of his respective regional and district conferences, fill any office to which he is elected to the best of his ability, and perform conscientiously any task assigned to him by the Synod or district through its officials or official boards. He shall make such reports as are required of him by the Synod, the districts and their official boards.

7) He shall notify the president of his district when it is his intention to leave his pastorate, and shall make application for a new pastorate through the president of the respective district.

8) He shall perform no pastoral service for members of a congregation served by another pastor, except by request or with permission of said pastor.

9) He shall avoid or relinquish membership in any organization, if or when such membership interferes with his ministerial duties and his pastoral efficiency.

10) He shall be a member of his congregation by virtue of his installation as pastor. If not in charge of a congregation he shall become and remain a member in good standing of a congregation united or affiliated with the Evangelical Synod of N. A.

11) He shall join the synodical Pension and Relief Fund if eligible under the established rules and regulations, and conscientiously fulfill his duties toward same.

Division 4. Commissioned Workers

Article I. Conditions of Membership

Section 10. The membership of a commissioned worker, either male or female, is based upon the following conditions:

1) Adequate training in a recognized school for lay workers, or recognition of the mental, spiritual, and practical ability

Section 10, 2.

"Commissioning in accordance and consistent with the recognized practices of the Evangelical Synod of N. A."

The committee recommends this change because the term "provisions" seems doubtful in its meaning and application.

of the worker by a board of examiners appointed in each instance by the board of directors of the Synod.

2) Commissioning in accordance with the provisions of the Evangelical Synod of N. A.

3) Acknowledgment of the basic creedal position of the Evangelical Synod of N. A. as expressed in Article II of its constitution.

4) Service rendered to the Evangelical Synod of N. A. as a parish worker and pastor's assistant, or as a director of religious education of congregations served by the Synod, or as a teacher of parochial schools, or as a worker in a home or foreign mission field, or as a deaconess with definitely assigned kingdom work, or as a worker in any other department of the church that now is or later may be recognized by the Synod.

5) Membership in a congregation united or affiliated with the Synod.

6) Reception into the Synod upon recommendation of the respective district council, with the approval of the board of directors, by a two-thirds vote of the respective district in plenary session.

Article II. Rights of Commissioned Workers

Section 11. Any commissioned worker whose membership in the Synod has been duly and legally established shall have the following rights:

1) The right to voice and vote in the respective regional and district conferences.

2) The right of eligibility to any regional, district, or synodical office, under such limitations as are provided for the respective offices, and as a delegate to the general conference.

3) The right to share in the synodical system for ministerial pension and relief, provided he or she has fulfilled the obligations thereunto.

4) The right to have his or her application for any vacant position submitted by the respective district president.

5) The right to appeal directly to the officers, the boards, and the courts, of the district and of the Synod.

Article III. Duties of Commissioned Workers

Section 12. Commissioned workers whose membership in the Synod has been duly and legally established shall have the following duties:

1) Their time and talents shall be devoted primarily to their specific tasks in the congregational and kingdom work of the Synod.

In section 13, after the phrase "but no vote": "The chairmen of the administrative boards, the presidents of the Evangelical Brotherhood, the Evangelical Women's Union, the Evangelical League, and the Federation of Evangelical Charities, and the following by reason of their respective offices: the presidents of the educational institutions, the editors of the *Friedensbote* and *Herald*, the editor in chief of the Sunday school literature, and the executive secretaries of synodical boards."

This change is recommended to avoid a condition that would be untenable. Under the old version the Sunday school editor has a voice and the executive secretary of the board to whom he is subordinate has not. It also seems that the information which the executive secretaries, by reason of their constant contact with the work, have, must be available at the general conference, and it only seems just that they should be heard when the conditions under which they must work for four years are laid down.

2) They shall observe the laws and rules of the Synod and submit to its discipline. They shall attend regularly all meetings of their respective regional and district conferences, fill any office to which they are elected to the best of their ability, and perform conscientiously any task assigned to them by the Synod or district through its officials or official boards. They shall make such reports as are required of them.

3) They shall notify the president of their respective district when it is their intention to change their position and shall make application for a new position through the president of the respective district.

4) They shall avoid or relinquish membership in any organization, if or when such membership interferes with their duty and efficiency as commissioned workers.

CHAPTER B.—LEGISLATION

Division 1. The General Conference

Article I. How Constituted

Section 13. The general conference of the Evangelical Synod of N. A. shall consist of the delegates chosen by the district conferences, the officers of the Synod, the presidents of the districts, and the following delegates at large who shall have voice, but no vote: the chairmen of the administrative boards, the presidents of the educational institutions, the editors of the *Friedensbote* and the *Evangelical Herald,* the editor in chief of the Sunday school literature, and the presidents of the Brotherhood, the Women's Union, the Evangelical League, and the Federation of Evangelical Charities.

Article II. Functions

Section 14. The functions of the general conference of The Evangelical Synod of N. A. shall be the adoption of resolutions, the issuance of instructions, and the enactment of laws; the election of officers of the Synod, of the members of the administrative boards, and of the judges of the supreme court; and such other functions as are inherent with a legislative body.

Section 15. It may exercise the power of pardon upon a petition being filed by the person or persons against whom judgment has been rendered, or by friends in his or their behalf, or upon recommendation of the general council. A two-thirds vote of the members present is required.

Article III. Meetings

Section 16. The general conference of the Evangelical Synod of N. A. shall meet in regular session once every four years, preferably during the month of September.

Section 17. A special session of the general conference of The Evangelical Synod of N. A. may be called by resolution of the general conference in session, or upon request of not less than six (6) districts, and it must be called when requested by districts whose number of delegates to the general conference is sufficient to assure a majority representation.

Section 18. The date, place, and other necessary details appertaining to the meetings of the general conference of the Evangelical Synod of N. A., unless provided for by a general conference in previous session, shall be determined by the board of directors.

Section 19. All meetings of the general conference of the Evangelical Synod of N. A. shall be public, unless otherwise provided for by the general conference in session.

Section 20. The pastors, commissioned workers, and lay members of the general conference may meet in sectional conferences for the discussion of such questions and problems as are of special interest to them in their respective spheres. Their resolutions upon their request shall be submitted to the general conference in plenary session.

Article IV. Quorum and Procedure

Section 21. A majority of the accredited delegates attending the general conference of the Evangelical Synod of N. A. shall constitute a quorum.

Section 22. Immediately after the formal opening of the first business session of the general conference of the Evangelical Synod of N. A., the committee on credentials shall report the names of accredited delegates. If a quorum is present, the conference is authorized to transact business.

Section 23. Alternate delegates may not substitute for regular delegates until the general conference shall have approved their credentials and shall have sanctioned the absence or departure of regular delegates. No delegate shall absent himself from the conference or the sessions thereof without the consent of the conference.

Section 24. All motions and resolutions shall be adopted by a majority vote, except as otherwise provided for in the constitution and the by-laws.

Section 25. For the transacttion of business the members of the general conference of the Evangelical Synod of N. A.

Section 26.

After members put a comma, and add "thereafter to be known as the moderator."

This change is recommended because the term "presiding officer" is too general and cannot be used in speaking of or addressing the person in question. There are only two words which are commonly so used. Of these two, the committee recommends moderator.

Section 31.

The last sentence after "shall be sent" to be changed to read "to every pastor, commissioned worker, and congregation."

The committee recommends these changes because they follow the custom now prevailing in the Synod, and because every pastor, commissioned worker, and congregation is entitled to the information contained in these reports.

shall adhere to the accepted standard parliamentary law and rules of order, the interpretation of which, if necessary, shall be determined by resolution of the general conference in session.

Article V. Presiding Officer

Section 26. At its first session the general conference shall elect a presiding officer from among the accredited members.

Section 27. Until a moderator is elected the president of the Synod or at his request or in his absence the first or second vice-president respectively shall preside.

Section 28. Immediately after the moderator accepts his position the general conference shall elect a vice-moderator, who shall represent the moderator upon his request or during his temporary absence.

Section 29. Should the moderator at any time during the session of the general conference be absent for more than twelve consecutive conference hours, the vice-moderator shall become the moderator of the general conference.

Article VI. Program and Order of Business

Section 30. The program for the general conference of the Evangelical Synod of N. A., subject to adoption by the general conference, shall be prepared in outline not later than the fifteenth day of April of the year, in which the general conference convenes in regular session, by a program committee consisting of the president of the Synod and four members of the general council, to be appointed by the general council. This committee shall also appoint a committee on credentials.

Section 31. The working basis of the general conference of the Evangelical Synod of N. A. shall be the reports of:

a) The president.
b) The treasurer.
c) The board of directors.
d) The general council.
e) The administrative boards.
f) The presidents of the districts.

These reports shall present an adequate survey of the work and achievements within the respective spheres of responsibility for a period of four years, ending on the thirty-first day of January of the year in which the general conference convenes in regular session. These reports shall be submitted not later than the first day of May of the same year to the president of the Synod, who shall have them properly grouped in one volume and printed. Not later than the fifteenth day of July of that year

a copy of this volume shall be sent to those whose duty it is to attend the general conference.

Section 32. All reports constituting the working basis for the general conference of the Evangelical Synod of N. A. shall be referred to committees, which, together with all special committees for general conference administration, shall be appointed by the board of directors. The members of these committees shall be notified by the president of the Synod of their appointment not less than three weeks prior to the opening of the general conference. The number of committees and the assignment of reports shall be determined by the board of directors. Members of committees shall make an exhaustive study of their respective reports prior to the opening session of the general conference, drafting such resolutions on the basis of their reports as in their opinion should be submitted to the session of the general conference. These resolutions and others as finally agreed upon by the respective committees in plenary session shall then be submitted to the general conference for action.

Section 33. The first session of every general conference of the Evangelical Synod of N. A. shall be opened with a service of divine worship and the observance of the Lord's Supper.

Section 34. The order of business for the daily sessions of the general conference of the Evangelical Synod of N. A. shall be the following:

a) Period of devotion.
b) Call to order.
c) Roll call.
d) Reading of minutes.
e) Orders of the day as per adopted program:
   1. Reports of officers, boards, and committees.
   2. Elections.
   3. Unfinished business.
   4. New business, special resolutions.
   5. Sectional conferences.
f) Adjournment.
g) Closing prayer.

Immediately after the establishment of a quorum at the first session of the general conference there shall occur the election of the presiding officer and the vice presiding officer, the adoption of the conference program, the submission of addenda to the reports constituting the working basis for the general conference in so far as these do not appear in the printed conference volume, the appointment of special committees, and the

provision for such special matters as are not otherwise provided for.

Section 35. The general conference of the Evangelical Synod of N. A. shall not adjourn until the minutes of the final session have been read and adopted.

Article VII. Nominations and Elections

Section 36. Nominations for the moderator and vice-moderator of the general conference of the Evangelical Synod of N. A. shall be made from the floor. The election shall be by ballot and shall require a majority.

Section 37. A committee for nominations, consisting of one (1) clerical and one (1) lay delegate from each district, to be chosen by the respective district delegations, shall nominate not less than two (2) nor more than three (3) candidates for each elective office. Further nominations may be made from the floor of the conference.

Section 38. The committee for nominations shall nominate ten (10) pastors, nine (9) lay members, and three (3) commissioned workers for the supreme court. Further nominations may be made from the floor of the conference.

Section 39. To insure an election a candidate must receive a majority vote of those present.

Section 40. For qualifications of candidates for president, first and second vice-presidents, secretary, and treasurer of the Synod, see Chapter C, Division 1, Article I, of these by-laws.

Section 41. For qualifications of candidates for judges of the supreme court, see Chapter D, Division 3, Article II, of these by-laws.

Section 42. For qualifications of candidates for the various synodical boards, see Chapter C, Division 2, Article III, Section 146, of these by-laws.

Section 43. Members elected to any office by the general conference of the Evangelical Synod of N. A. shall assume their active duties immediately after the thirty-first (31) day of January of the year following their election. They shall serve for a period of four (4) years and until their successors qualify.

Section 44. The officers of the Evangelical Synod of N. A. shall be elected not later than the third full day session of the general conference, following which election the judges of the supreme court shall be elected. All other elections shall be held as soon as the committee reports bearing on the work of the respective bodies shall have been submitted and voted on by the general conference, provided, however, that there shall not be

any elections until the officers of the Evangelical Synod of N. A. shall have been elected.

Section 45. The elected officers of the Evangelical Synod of N. A. and the judges of its supreme court shall be formally installed according to the ritual of the Evangelical Synod of N. A. at the concluding session or service of the general conference.

Article VIII. Provisions for Districts

Section 46. All proposals involving the creation of a new district, or a change of the boundary, or the dissolution of an existing district, shall be submitted to the general conference of the Evangelical Synod of N. A., which shall have sole jurisdiction in these matters.

Section 47. Not less than twelve (12) pastors and not less than seven (7) self-supporting congregations united with the Synod shall be necessary for the creation of a new district.

Section 48. Where a territory does not meet the requirements for the creation of a new district the general conference of the Evangelical Synod of N. A. shall have power to create a mission district, whose rights and duties shall be defined in the by-laws.

Article IX. Expenses

Section 49. The expenses of the general conference of the Evangelical Synod of N. A., except the traveling and entertainment expenses of the delegates, shall be borne by the Synod.

Section 50. The traveling and entertainment expenses of all delegates representing districts, including the presidents of the districts, shall be borne by the respective districts.

Section 51. All traveling and entertainment expenses of all delegates at large shall be borne by the respective boards which they represent.

Section 52. All traveling and entertainment expenses of officers and delegates to the general conference of the Evangelical Synod of N. A. shall be equalized and pro-rated by a committee on equalization. Prior to the opening session of the general conference a deposit sufficient to meet this outlay shall be made by those liable therefor.

Division 2. The District Conference

Article I. How Constituted

Section 53. The district conference shall consist of pastors, commissioned workers, and lay delegates of congregations united with the Synod, within the district.

Article II. Functions

Section 54. The functions of the district shall be the adoption of resolutions; the issuance of instructions; the election of officers and boards of the district and the judges of the district court; the examination, ordination, and commissioning of candidates for the ministry and of lay workers for kingdom service, when properly assigned; the admission into the Synod of pastors, commissioned workers, and lay members organized into congregations, subject to the approval of the Board of Directors; the transfer of pastors and commissioned workers to other districts through its president.

Article III. Meetings

Section 55. The district conference shall meet in regular session biennially, between April first (1) and July first (1), according to a schedule to be drafted by the board of directors of the Synod, subject to recommendation of a tentative date by the district council.

Section 56. The meeting of the district conference shall so be regulated that a meeting of all the districts shall be held in the year concurrent with the year of meeting of the regular general conference.

Section 57. Special meetings of the district conference shall be held in any year in which the general conference meets in special session, and in which the district conference does not convene in regular session, or at the call of the district council.

Section 58. All meetings of the district conference shall be public, unless otherwise provided for by resolution of the district conference in session.

Article IV. Quorum and Procedure

Section 59. A majority of the membership of the conference shall constitute a quorum.

Section 60. Immediately after the formal opening of the first business session of the district conference, the committee on credentials shall report the names of the accredited delegates and members. If a quorum is present, the conference is authorized to transact business.

Section 61. Alternate delegates may not substitute for regular delegates until the district conference shall have approved their credentials, and shall have sanctioned the absence or departure of regular delegates. No member shall absent himself from the conference, or the sessions thereof, without the consent of the conference.

Section 62. All motions and resolutions shall be adopted by majority vote, providing, however, that all motions and resolutions recommending or petitioning a change in the constitution of the Evangelical Synod of N. A. shall require a two-thirds vote.

Section 63. For the transaction of business, the district conference shall adhere to the accepted standard parliamentary law and rules of order, the interpretation of which, if necessary, shall be determined by resolution of the district conference in session.

Article V. Presiding Officer

Section 64. The presiding officer of the district conference shall be the moderator, who shall be chosen from the membership of the district for the duration of the conference.

Section 65. Until the moderator is elected, the president, or at his request, or in his absence, the vice-president of the district shall preside.

Section 66. Immediately after the moderator accepts his position, the conference shall elect a vice moderator, who shall represent the moderator upon his request, or during his temporary absence.

Section 67. Should the moderator at any time during the session of the district conference be absent for more than twelve (12) consecutive conference hours, the vice-moderator shall become the moderator of the conference.

Article VI. Program and Order of Business

Section 68. The tentative program for the district conference shall be prepared by the district council, and shall be sent to the membership of the district conference not later than fifteen (15) days prior to the opening session of the conference. Any request by the general council to the district council in regard to the program shall be brought to the attention of the district conference.

Section 69. The working basis for the district conference shall be the reports of:

a) The officers of the Synod.
b) The board of directors of the Synod.
c) The general council.
d) The administrative boards of the Synod.
f) The district council.
g) The administrative boards of the district.

The district reports shall be an adequate survey of the work and achievements within the respective spheres of responsibility

in the district during the interim periods of the regular sessions of the district conference. These reports shall be submitted to the president of the district not later than forty (40) days prior to the opening session of the district conference. The president of the district shall have these reports compiled, and copies thereof sent to the membership of the district conference not later than fifteen (15) days prior to the opening session of the district conference.

Section 70. All reports constituting the working basis for the district conference shall be referred to the proper committees, which, together with all necessary special committees, shall be appointed by the district council.

Section 71. Members of committees shall be notified of their appointment by the president of the district not less than fifteen (15) days prior to the opening session of the conference. They shall make an exhaustive study of their respective reports prior to the opening session of the conference, drafting such resolutions on the basis of these reports as in their opinion should be submitted to the district conference. These resolutions and others, as finally agreed upon by the respective committees in plenary session, shall then be submitted to the district conference for action.

Section 72. The first session of every district conference shall begin with a service of divine worship and the celebration of the Lord's Supper.

Section 73. The order of business for the daily sessions of the district conference shall be as follows:

a) Period of devotion.
b) Call to order.
c) Roll call.
d) Reading of minutes.
e) Orders of the day as per adopted program:
    1. Reports of officers, boards, and committees.
    2. Elections.
    3. Unfinished business.
    4. New business, regional conference and special resolutions.
    5. Sectional conferences.
f) Adjournment.
g) Closing prayer.

Following the report of the committee on credentials at the first business session of the district conference, if a quorum is established, there shall occur the election of the moderator, the adoption of the conference program, the submitting of addenda to

the reports constituting the working basis for the district conference, in so far as these do not appear in the printed conference copies, the appointment of special committees, and the provision for such special matters as are not otherwise provided for.

Section 74. The district conference shall not adjourn until the minutes of its final session have been read and adopted.

Article VII. Nominations and Elections

Section 75. Nominations for the office of moderator and vice-moderator of the district conference shall be made from the floor of the conference. The election shall be by ballot and shall require a majority vote.

Section 76. A committee on nominations, consisting of one (1) member for each twenty (20) delegates to the district conference, or major fraction thereof, to be chosen by the district council on the basis of proportionate representation of clerical, commissioned worker, and lay delegates to the district conference, shall nominate not less than two (2), nor more than three (3) candidates for each elective office, except that of the moderator and the office of delegates to the general conference.

Section 77. All nominations submitted by the committee on nominations may be augmented by nominations from the floor of the conference.

Section 78. To assure an election, all candidates, including the delegates to the general conference, must receive a majority vote by ballot.

Section 79. Candidates for the offices of president and vice-president of the district shall be pastors, who have been members of the Synod for a period of not less than five (5) years.

Section 80. Delegates from the district to the general conference shall be elected by open ballot, on the basis of one (1) for every fifteen (15) members, or major fraction thereof, from each of the respective membership groups, (clerical, commissioned worker, and lay) constituting the district conference. The president of the district is a delegate at large to the general conference ex officio, and is not to be included in the proportionate representation of the district to the general conference.

Section 81. Members elected to an office by the district conference, shall assume their active duties on the first day of the month following the first full calendar month after their election. They shall serve for a period of two (2) years, and until their successors have been duly elected and shall have qualified for office.

Section 82. The elected district officers and the elected members of the district court shall formally be installed according to the ritual of the Evangelical Synod of N. A. at a session or service of the district conference, or within ten (10) days thereafter, at a time and place designated by the president of the district.

Article VIII. Mission Districts

Section 83. A mission district, unless otherwise provided for, shall have the rights and duties of a regular district of the Evangelical Synod of N. A.

Section 84. The president of a home mission district shall be nominated by the board for home missions and elected by the general council.

Section 85. Acts of ordination, commissioning, and admission into the Synod by a home mission district shall be authorized and delegated by the general council.

Section 86. The transfer of pastors and commissioned workers to and from a home mission district is negotiated by the board for home missions, subject to the approval of the board of directors of the Synod.

Section 87. A home mission district shall not have a district court.

Section 88. The administration and control of mission districts in foreign fields shall be vested in the respective mission conferences, subject to approval by the board for foreign missions.

Section 89. Acts of ordination, commissioning, and admission into the Synod by a mission district in a foreign field shall be recommended by the mission conference, and authorized by the board for foreign missions, subject to the approval of the board of directors.

Section 90. The transfer of pastors and commissioned workers to and from mission districts in foreign fields shall be negotiated by the board for foreign missions, subject to the approval of the board of directors of the Synod.

Article IX. Expenses

Section 91. The expenses of the district conference, except the traveling and entertainment expenses of its members, shall be borne by the district.

Section 92. The traveling and entertainment expenses of the pastors, commissioned workers, and lay delegates to the district conference shall be borne by the respective congregations.

Section 93. All traveling and entertainment expenses of pastors, commissioned workers, and lay delegates to the district conference shall be equalized within the respective groups and pro-rated among the members thereof.

Division 3. Regional Conference

Article I. How Constituted

Section 94. The regional conference is established by resolution of the district, which defines its geographical limits. A district shall have not less than two (2) regional conferences.

Section 95. Mission districts which are too small to warrant two (2) or more regional conferences, may be established as a single regional conference, subject to approval by the board of directors of the Synod.

Section 96. The regional conferences shall consist of pastors, commissioned workers, and not less than one (1) representative each from the congregation, the men's organizations, the women's organizations, the young people's organizations, and the religious educational organizations of the respective congregations.

Article II. Functions

Section 97. The functions of the regional conference shall be the presentation and discussion of the work of the Synod as an educative measure to create greater understanding and interest; the adaptation of the Synod's program to meet the needs of local conditions; the organization and development of the man-power and resources of the region to obtain greater cooperation among the members of the regional conference, and increasing financial support for the advancement of the congregations and the work of the church at large; the adoption of resolutions to the district conference in respect of any phase of synodical work or procedure; and the adoption of such resolutions, subject to approval by the district council, as will lead to the solution of the specific problems within the region.

Article III. Meetings

Section 98. The regional conferences shall meet annually in regular session between the first day of September and the thirty-first day of October. The date shall be approved by the district council before its publication.

Section 99. Special sessions of regional conferences may be called by the district council.

Section 100. The regional conferences shall meet for not less than two (2) successive days.

Section 101. The presiding officer of the regional conference shall be the president.

Article IV. Quorum and Procedure

Section 102. A majority of those enrolled as attending the conference shall constitute a quorum.

Section 103. Immediately after the formal opening of the first business session, the committee on credentials shall report the names of the accredited delegates and members. If a quorum is present, the conference is authorized to transact business.

Section 104. For the transaction of business, the regional conference shall adhere to the accepted standard parliamentary law and rules of order.

Article V. Program and Order of Business

Section 105. The program of the regional conference shall be prepared by the regional program committee in collaboration with the district council. The regional program committee shall consist of not less than three (3) members, and shall be appointed for a period of two (2) years immediately following the biennial conference of the district, the district council appointing the chairman and the president of the regional conference the remaining members thereof.

Section 106. This program shall be the working basis for the regional conference, providing, however, that such matters as are purely of regional interest and significance may be added.

Section 107. Such committees as are necessary shall be appointed by the president of the regional conference.

Section 108. The order of business for the daily sessions of the regional conference shall follow as closely as possible that of the district conference, with such modifications as the regional conference may determine. Sectional conferences shall be arranged.

Article VI. Nominations and Elections

Section 109. Immediately after the opening of the conference, the president shall appoint a committee on nominations, which shall nominate not less than two (2) nor more than three (3) candidates for the offices of president, vice-president, secretary, and treasurer of the regional conference, and for each other office which the conference may create.

Section 110. All elections shall be by ballot, and shall require a majority vote.

Article VII. Expenses

Section 111. The expenses of the regional conference, except the traveling and entertainment expenses of its members, shall be borne by the regional treasury.

Section 112. The traveling and entertainment expenses of those attending the regional conference as members thereof shall be equalized and pro-rated among the congregations on the basis of one representative from each of the organizations entitled to participate.

CHAPTER C.—ADMINISTRATION

Division 1. Officers of the Synod

Article I. Qualifications for Office

Section 113. The candidates for the office of president, first and second vice-presidents, secretary, and treasurer of the Evangelical Synod of N. A. shall have been members of the Evangelical Synod of N. A. for not less than fifteen (15) years.

Section 114. The candidates for the offices of president, first vice-president, and second vice-president must be pastors.

Article II. Rights and Duties of the President

Section 115. In respect of the Synod. The president shall be the official representative of the Synod, and shall be chairman of the board of directors of the Synod and of the general council. He shall hold the seal of the Synod, and affix his signature to all official documents which are issued in the name of the Synod and such documents, deeds, and contracts authorized by the general conference, general council, or by the board of directors. It is his duty to conduct the official correspondence of the Synod.

He shall enforce the constitution and by-laws of the Synod and the rules and regulations of the general conferences. He shall report to the counsel for the Synod, with instructions to bring suit if the investigation of counsel should warrant such action, any violation of the constitution and by-laws of the Synod and any infraction of the rules and regulations of the general conferences by any synodical official or employee, or by any synodical board, commission, or committee, or any member thereof, in the exercise of official duties.

With the consent of the board of directors, he shall attend or send representatives to interdenominational or international conferences, whose purpose is in line with the purposes, the principles, and the policies of the Synod.

Upon recommendation of a committee on education of the board of directors of the Synod, he shall assign all properly qualified candidates for ordination or commissioning to the districts for ordination, commissioning, and service; he shall sign all certificates or ordination and commissioning, and keep a record of the same.

His remuneration shall be fixed by the general conference, and he shall give his whole time to his duties.

Section 116. In respect of boards, commissions, and committees.

The president shall supervise the work of all synodical boards, commissions, and committees.

He shall have the power to demand an accounting of them at any time and to inspect or have inspected by a certified accountant, such books as they may keep in their administration of funds. He shall insist on a uniform system of bookkeeping throughout.

Upon sufficient cause and with the consent of the board of directors, he may suspend temporarily any member or official or employee of any board, commission, or committee pending action before the supreme court.

He shall have the power to veto any action or resolution of any board, if in his judgment such action or resolution be in violation of the constitution and by-laws of the Synod, or the instructions and resolutions of the general conferences. The veto together with the reasons therefore shall be entered upon the minutes of the respective board. The veto of the president is subject to an appeal to the supreme court.

He shall have the power to appoint any commission or any committee for such specific tasks as develop from time to time, and shall instruct the treasurer to pay their legitimate expenses.

Section 117. In respect of the district and regional conferences.

The president shall mail the printed reports of the synodical officers and boards to the prospective members of all district conferences not later than 30 days before the opening date of the first conference on the year's schedule.

He or one of the other officers of the Synod appointed by him shall attend all district conferences to represent the synodical administration, and give information regarding the synodical program.

He shall have the power to veto any action or resolution of any district conference, if in his judgment such action or resolution be in violation of the constitution or by-laws of the

Synod, or the instructions and resolutions of the general conferences. The veto together with the reasons for it shall be entered upon the minutes of the respective district. The veto of the president is subject to an appeal to the supreme court.

With regard to the regional conferences he shall have the power to instruct the presidents of all regional conferences to place certain matters pertaining to the Synod upon the program of the conferences and to give them preference in the discussion.

Section 118. In respect of congregations.

The president shall have the power to address any legitimate communication to the congregations, or to any of them, or to any of their members, provided, however, that a copy of such letter shall also be sent to the pastor of such church. Upon proper notification he shall have power to address any meeting or any service of any congregation for the presentation of such matters as the interests of the Synod may demand.

Article III. Rights and Duties of the First Vice-President

Section 119. The first vice-president shall take over the powers and duties of the president in the event the president should die, or through long illness, resignation, removal, or other cause become unable, either temporarily or until the next regular general conference, to discharge the duties of his office.

Section 120. The first vice-president shall assist the president by his counsel and otherwise. He shall represent the president, when requested by him to do so, at district conferences and board meetings, or other conferences and conventions, and as the representative of the president shall carry out his instructions.

Section 121. He shall be a member of the board of directors of the Synod and of the general council and shall be chairman of the committee on promotion of the general council.

Article IV. Rights and Duties of Second Vice-President

Section 122. The second vice-president shall take over the powers and duties of the first vice-president in the event that for any reason a vacancy should occur in the office of the first vice-president, either temporarily or until the next regular general conference. He shall take over the powers and duties of the president in the event that both the president and the first vice-president should become incapacitated at the same time.

Section 123. The second vice-president shall assist the president by his counsel and otherwise. He shall represent the president, when requested by him to do so, at district conferences or board meetings, or other conferences and conventions,

and as the representative of the president shall carry out his instructions.

Section 124. He shall be a member of the board of directors of the Synod and of the general council, and shall be chairman of the committee on correlation of the general council.

Section 125. In the event a vacancy occurs in the office of the second vice-president, the board of directors of the Synod at its next regular session shall elect a second vice-president, subject to approval by the general council, who shall serve until the next regular general conference.

Article V. Rights and Duties of the Secretary

Section 126. The secretary shall record the minutes of the general conferences, and have them printed after their approval by the moderator and the president; he shall countersign certificates and documents of the Synod, documents, deeds, contracts, authorized by the general conference, general council, or the board of directors, and shall be recording secretary of the board of directors.

Section 127. He shall assist the president by his counsel and advice, and may represent him, when requested by him to do so, at conferences and conventions. He shall carry out the instructions of the president when so representing him.

Section 128. In the event a vacancy occurs in the office of the secretary, the board of directors of the Synod at its next regular session shall elect a secretary, subject to the approval of the general council, who shall serve until the next regular general conference.

Article VI. Rights and Duties of the Treasurer

Section 129. The treasurer shall be a member of the board of directors and shall be chairman of the committee on finance of the general council.

Section 130. The treasurer shall receive all monies for the Synod or its work or any branch thereof, giving his official receipt for the same. He shall daily deposit all such monies as have been received by him in such bank or banks as the board of directors may designate.

Section 131. Monies for non-synodical purposes he may receive only on the advice and with the consent of the board of directors of the Synod. He shall deposit them as above indicated, and pay them to the person, institution, or cause named by the donor as speedily as possible.

Section 132. All monies received as designated gifts he

shall pay on the last day of the month to the cause designated by the donor. (By designated gifts are meant gifts designated for boards participating in the budget.)

Section 133. All monies received for the budget he shall pay on the last day of the month to the boards of the Synod according to the instructions given him by the general council.

Section 134. If the receipts for the budget are insufficient he shall borrow on his established credit such sums as the board of directors on the advice of the general council may direct.

Section 135. Upon proper authorization he shall pay all bills chargeable to the synodical treasury, including the bills of such boards and commissions as have no treasury of their own.

Section 136. He shall keep books on all his accounts according to a unified system of bookkeeping for the entire Synod as the president on the advice of a certified accountant may direct. He shall send a monthly statement showing the standing of all synodical accounts to the board of directors and the committee on finance of the general council. He shall report annually to the general council on such matters as the general council may direct. He shall submit through the president an annual report on all accounts to the district conferences, and a quadrennial report to the general conference.

Section 137. He shall not dispose of or use any monies except as authorized. If the monies received cannot immediately be paid to the intended recipient, but must remain in his charge for more than thirty (30) days, he shall report this fact to the board of directors of the Synod, and on their advice and with their consent shall invest such monies as directed by them.

Section 138. Funds received by him for permanent investment shall be paid by him within forty-eight (48) hours after receipt either to the board for endowments and trust funds, or to the board of directors of the Synod, as the case may be.

Section 139. He shall give corporate surety company bond in the penal sum decided by the board of directors of the Synod, and shall receive a salary stipulated by the general conference. He shall give his whole time to the work.

Division 2. The Boards of the Synod

Article I. The Board of Directors

Section 140. Membership. The board of directors shall consist of the following synodical officers: the president, first vice-president, second vice-president, secretary, and treasurer, and two (2) members at large elected by the general conference, at last one (1) of whom shall be a lay member.

Section 142 of the By-laws.

The committee recommends that the paragraph be changed to read: "The General Council shall consist of the Board of Directors and—."

This will add only two persons to the council and is necessary because the Board of Directors functions as the executive committee of the General Council. Therefore, unless this change is made, the position and powers of the Board of Directors will always be in doubt.

Section 141. Rights and Duties.

Paragraph 1. The board of directors shall supervise and direct the financial policy of the Synod. It shall protect the property of the Synod and all the branches of its work.

Paragraph 2. It shall be notified of bequests and provide for their collection and dispose of them according to the terms and provisions of the bequest; it shall solicit bequests and annuities and concern itself with their legality. It shall administer the annuity funds during the life time of the annuitants, pay them their interest when due, and after the death of the annuitant, turn the funds over to the board for endowment and trust funds, or as otherwise provided for in the annuity contract.

Paragraph 3. Upon recommendation of the general council, it shall authorize and instruct the treasurer of the Synod to borrow money to meet deficiencies in the operating expenses of the various administrative boards.

Paragraph 4. It shall meet monthly or as often as necessary for the transaction of such business as may come before it.

Paragraph 5. It shall prepare the agenda for the annual meeting of the general council, taking into consideration the proposals of the several committees of the general council, of the administrative boards, and of the general conference.

Paragraph 6. It shall function as the executive committee of the general council, and shall execute all synodical powers except those specifically reserved in this constitution and by-laws, at such times when the general conference or the general council are not in session.

Paragraph 7. Any vacancy occurring on the board of directors, unless otherwise provided for, shall be filled by the board of directors.

Paragraph 8. It shall appoint a committee whose duty it shall be to determine the qualifications of all candidates for the ministry, as well as of all ordained ministers applying for membership in the Synod.

Article II. The General Council

Section 142. Membership. The General Council shall consist of the officers of the Synod, and one (1) clerical and one (1) lay representative from each district elected by the respective district conference, to serve for a term of four (4) years. The President of the Synod shall be its chairman.

Section 143. Rights and Duties.

Paragraph 1. It shall correlate the synodical activities and supervise the general program of promotion.

Paragraph 2. It shall meet annually not later than the 10th day of September. Special meetings may be called by the board of directors.

Paragraph 3. The traveling and entertainment expenses of the members of the general council shall be borne as follows: one half shall be paid by the synodical treasury and one half by the districts after the same has been equalized and prorated among those liable therefore.

Paragraph 4. It shall elect the editors of the synodical papers and the executive secretaries of the various boards upon the nominations by the respective boards.

Paragraph 5. It shall elect an executive secretary, fix his salary, and define his duties.

Paragraph 6. It shall choose the following committees: a committee on finance, a committee on promotion, a committee on correlation, and such other committees as may become necessary.

Paragraph 7. It shall have general supervision over the work of Evangelism in the Synod, which is made the special charge of the Evangelical Brotherhood, the Evangelical Women's Union, and the Evangelical League. On the committee appointed for this purpose, the presidents of the aforenamed organizations shall serve ex officio.

Paragraph 8. It shall give an opportunity to the representatives of all synodical boards and agencies to appear and report on their work.

Section 14. Committees of the General Council.

Paragraph 1. The committee on finance shall consist of five (5) members and the treasurer of the Synod, who shall be its chairman. It shall plan the budget, submit the same to the general council for approval, and shall carry out the instructions appertaining thereunto.

Paragraph 2. The committee on promotion shall consist of five (5) members and the first vice-president, who shall be its chairman. It shall be the duty of this committee to prepare and carry out plans for the work of general promotion in the Synod, subject to the approval of the general council.

Paragraph 3. The committee on correlation shall consist of three (3) members, the second vice-president, who shall be its chairman, and the executive secretaries. This committee shall correlate the work of the administrative boards, subject to the approval of the General Council.

Section 145 and in connection therewith 158 and 160.

The committee recommends that the Board of Trustees of the Church Extension fund be abolished and the work of this board transferred to the Home Mission Board as provided in the original draft of the constitution. The very important Home Mission task in the church can only prosper if there is a uniform supervision and control of the support extended to mission churches. With a separate board for the fund, a very important item of mission support would be entirely outside the province of the Home Board and might easily defeat the purposes and plans of this board.

Article III. The Administrative Boards of the Synod

Section 145. Number of Boards. The Boards of the Evangelical Synod shall be:

The board of directors of Eden Theological Seminary.
The board of trustees of Elmhurst College.
The board of directors of Oakwood Institute.
The board of directors of Robinson Academy.
The board for home missions.
The board of trustees for the church extension fund.
The board for foreign missions.
The board of publications.
The board of religious education.
The board for ministerial pension and relief.
The board of endowment and trust funds,

and such other boards as shall be created by the Evangelical Synod in general conference.

Section 146. Membership. No person shall be a member of more than one board. Nominations of members of the boards, not otherwise provided for, shall be made at each general conference by a nominating committee, provided for in the by-laws. Each board member shall be elected to serve for a term of four (4) years.

All vacancies occurring among board members shall be filled by the respective board, subject to the approval of the general council.

Section 147. Rights and Duties.

Paragraph. 1. Each board shall present its financial needs together with its budget of estimated income and estimated expenditures, and a statement of financial operations during the past year, to the general council at least two (2) weeks prior to its annual meeting, and furnish such information and reports as the general council may require. Each board also may be personally represented at the meetings of the general council.

Paragraph 2. Each board shall make an annual report to the districts which shall be in the hands of the president of the Synod not later than March 1 of each year, and a quadrennial report to the general conference, as provided for in the by-laws.

Paragraph 3. The financial accounts of each board shall be audited annually by a certified public accountant, or by some other reliable auditors, and the report of such auditors shall constitute a part of the annual report of the board.

Section 147, paragraph 4.

Omit the words "of the committee on finance." The committee deems it very unwise that such an important decision should be left in the hands of a subordinate committee which is not directly responsible to the General Conference.

The committee on finance will make its recommendation as a matter of course, but the final decision, if it is to have any worth or value at all, must rest with the General Council. This also avoids the danger that we may be rushed into a campaign for funds without adequate examination of the merits of the cause.

Paragraph 4. No board shall have the right to inaugurate propaganda for the raising of funds in addition to its regular budget without the consent of the committee on finance of the general council."

Paragraph 5. The fiscal year of each board shall close on the 31st day of January of each calendar year, except that of the educational institutions and Eden Publishing House, which shall close on June 30.

Article IV. The Educational Institutions

Section 148. The Board of Directors of Eden Theological.

The board of directors of Eden Theological Seminary shall consist of the president of Eden Theological Seminary, ex officio, and nine (9) members, of whom the general conference shall elect four (4) pastors and two (2) lay members. These in turn shall elect the remaining three (3) members, subject to the approval of the general council. At least three (3) members shall be residents of the State of Missouri.

The board of directors of Eden Theological Seminary shall be the board of trustees of the G. E. Missouri College.

Section 149. The Board of Trustees of Elmhurst College.

The board of trustees of Elmhurst College shall consist of the president of Elmhurst College, ex-officio, and fifteen (15) members, of whom the general conference shall elect six (6) pastors and three (3) lay members. These in turn shall elect the remaining six (6) members, subject to the approval of the General Council. At least five (5) members of the board shall be residents of the State of Illinois.

Section 150. The Board of Directors of Oakwood Institute.

The board of directors of Oakwood Institute shall consist of the president of Oakwood Institute, ex-officio, and nine (9) members, of whom the general conference shall elect three (3) pastors and two (2) lay members. These in turn shall elect the remaining four (4) members, subject to the approval of the general council. At least two (2) of the members shall be women, and at least three (3) of the board shall belong to the Indiana or Ohio districts.

Section 151. The Board of Directors of Robinson Academy.

The board of directors of Robinson Academy shall consist of the principal of Robinson Academy, ex officio, and seven (7) members, of whom the general conference shall elect three (3) pastors and two (2) lay members. These in turn shall elect the remaining two (2) members, one of whom shall be a woman, subject to the approval of the general council. At

least four (4) members of the board shall belong to the Texas district.

Section 152. Rights and Duties of the Boards of Directors and Trustees of Educational Institutions.

Paragraph 1. The board of directors or of trustees, as the case may be, of each institution shall be its legal representatives in all matters. Each board shall administer the finances of the institution, supervise the instruction, and engage the instructors and professors. The board shall fix the salaries of the president, of the members of the faculty, and of the employees.

Paragraph 2. Each board of directors or trustees is empowered to collect money from other than synodical budget sources, and, with the approval of the Board of Directors of the Synod, to buy and sell property, and for purposes of capital investment to borrow money up to 25% of the appraised value of the institution, provided, however, that the total indebtedness of any institution, so incurred, shall not exceed 25% of its appraised value.

Paragraph 3. Each board shall appoint an executive committee of not exceeding five (5) from among its members. The president of the institution is ex officio a member of this committee. The executive committee shall have full supervision and direction of the institution subject to the approval of the board.

Paragraph 4. Each board of directors or of trustees shall make its own by-laws governing the more detailed work, subject to the approval of the general council.

Section 153. The General Committee of Educational Institutions.

Paragraph 1. Membership. The general committee of educational institutions shall consist of seven (7) members, four (4) pastors and three (3) laymembers, appointed by the general council of the Synod to serve for a period of four (4) years.

Paragraph 2. Rights and Duties. It shall be the duty of this committee to determine the educational policy and program of the educational institutions; to harmonize and apportion their budgets; to correlate their activities; to elect their chief executives, subject to approval by the general council; to promote and organize higher schools of learning.

Paragraph 3. Organization. The committee shall organize itself, electing from its members a chairman, a secretary, and such committees as may be necessary.

Article V. The Board for Home Missions

Section 154. Membership. The board for home missions shall consist of nine (9) members, of whom the general conference shall elect five (5) pastors and one (1) lay member. These in turn shall elect one (1) pastor and two (2) lay members, subject to the approval of the general council.

Section 155. Rights and Duties. It shall be the duty of the board for home missions to carry on missionary work in North America. Subject to the approval of the general council and the general conference, it shall determine the home mission policy of the Synod. It shall organize new congregations wherever feasible, extend financial aid judiciously, supervise and extend special projects, such as city missions, immigrant missions, and missions among racial groups. In addition to the general supervision of the various fields, the board for home missions shall have authority to call and recall any missionaries and lay-workers, but it may exercise this authority through the district boards. It shall determine the amounts to be expended in the ensuing year on each phase of the work.

Section 156. Special Phases of the Work.

Paragraph 1. The board shall study and analyze the need for new congregations; survey and organize new fields; supervise the work; grant financial assistance as needed; cooperate with the various district boards for home missions, and assign to them such tasks as the situation may demand.

Paragraph 2. It shall survey, organize, and supervise the work in rural and industrial communities and among groups where the organization of a congregation does not meet the immediate religious need, and grant financial aid as needed.

Where the need of such a field is primarily one of religious education, it shall enlist the cooperation of the board of religious education.

It shall promote the organization of local Evangelical groups into mission unions, who shall assume responsibility for special projects under the supervision of the board.

Paragraph 3. It shall nominate the executive secretary, who shall be elected by the general council.

Paragraph 4. It shall fix the salary of the executive secretary, subject to the approval of the general council.

Section 157. Organization of the Board. The board for home missions shall elect a chairman, a vice-chairman, a secretary, and a treasurer, who together with the executive secretary shall

form the executive committee of the board, and shall have power to act between sessions of the board, subject to the approval of the board.

Article VI. The Board of Trustees for the Church Extension Fund

Section 158. Membership. The Board of Trustees for the church extension fund shall consist of two (2) pastors and three (3) lay members, elected by the general conference, provided, however, that three (3) shall be residents of the State of Missouri.

Section 159. Rights and Duties.

Paragraph 1. For financing the erection of new church and Sunday school buildings and parsonages, it shall, upon recommendation of the respective district boards for home missions, make loans, secured by first or second mortgages, to such congregations as are unable to finance their own building projects, giving preference to mission churches, but not disregarding other indigent churches; it shall remit interest charges when the facts warrant, collect money due on loans, and administer the funds entrusted to it. If second mortgages held by the board are endangered, it shall report the facts to the board of directors of the Synod for consideration and possible necessary action.

Paragraph 2. It shall be the duty of this board to meet annually in joint session with the board for home missions for the purpose of correlating the work of the two boards.

Section 160. Organization. The board of trustees for the church extension fund shall elect a chairman, a vice-chairman, a secretary, and a treasurer.

Article VII. The Board for Foreign Missions

Section 161. Membership. The board for foreign missions shall consist of nine (9) members, of whom the general conference shall elect five (5) pastors and two (2) lay members. These in turn shall elect the remaining two (2) members, subject to approval by the general council.

Section 162. Rights and Duties.

Paragraph 1. The board for foreign missions shall have as its object the propagation of the kingdom in foreign lands. It is authorized to engage and recall all missionaries and to provide for their support. It shall establish regulations for workers, churches, congregations, schools, hospitals, and other institutions, and exercise general supervision over the several fields. The authority to appoint and dismiss catechists, teach-

Section 164.

The committee recommends that "city or county of St. Louis" be changed to read "state of Missouri" in conformity with the preceding sentence.

The law requires only residence in the state, and it would be poor policy to impose a greater limitation on the membership of the board than the law requires.

ers and other national workers, as well as the exercise of other functions of church administration, may be transferred to the mission district. The board shall endeavor to develop self-sustaining and autonomous churches in the foreign field. It shall also awaken and inspire the home church for mission work.

Paragraph 2. The board shall nominate the executive secretary, who shall be elected by the General Council.

Paragraph 3. It shall fix the salary of the executive secretary, subject to the approval of the general council.

Section 163. Organization of the Board. The board for foreign missions shall elect a chairman, a vice-chairman, a secretary, and a treasurer, who together with the executive secretary shall form the executive committee of the board and shall have power to act between sessions of the board, subject to the approval of the board.

Article VIII. The Board of Publications

Section 164. Membership. The board of publications shall consist of fifteen (15) members of whom four (4) pastors and four (4) lay members shall be elected by the general conference, provided, however, that three (3) of these shall be residents of the State of Missouri. The board of directors of the Synod, subject to the approval of the general council, shall elect six (6) members, at least three (3) of whom shall be residents of the City or County of St. Louis. The board of religious education shall elect one (1) member.

Section 165. Rights and Duties. It shall be the duty of the board of publications to publish periodicals and books as directed by the general conference to which it is amenable. It shall promote the sale of religious literature and other reading material, conduct the business of Eden Publishing House through its manager, establish and conduct branches thereof and concern itself with the development and promotion of the publishing interests of the denomination for the primary purpose of stimulating kingdom interests. It shall outline the program and determine the policies of its business for the ensuing year subject to the approval of the general council.

Section 166. Organization. The board of publications shall elect a chairman, a vice-chairman, a secretary, a treasurer, and a board of trustees of Eden Publishing House from its membership. It shall also elect a literary committee. The transactions and policies of the board of trustees and the literary committee shall be directed and approved by the board of publications.

Section 170, Paragraph 2.

The committee recommends that this paragraph be reinstated. There is no business of a reliable nature that functions on any other basis than that herein provided, nor can the safeguarding of funds for the future be accomplished without this provision. It is the opinion of the committee that the safeguarding of funds of the Synod absolutely require, that this paragraph be reinstated.

Section 167. Board of Trustees. The board of trustees of Eden Publishing House shall consist of five (5) members who shall be residents of the State of Missouri. It shall constitute the executive committee and shall meet at least once a month. It shall conduct the business affairs of Eden Publishing House. The treasurer shall be a member of the board of trustees.

Section 168. The Literary Committee. The literary committee shall consist of five (5) members, two (2) of whom shall be members of the faculty of Eden Theological Seminary. It shall pass upon all synodical publications except periodicals and such publications whose adoption is reserved to the general conference. It shall study the needs of the Synod as far as publications are concerned, make suggestions for changes and prepare or have prepared such new publications as in their judgment are required.

Section 169. The Editors.

Paragraph 1. The editors of synodical periodicals, except religious educational publications, shall be nominated by the board of publications and elected by the general council.

Paragraph 2. The editors of the religious educational periodicals shall be nominated by the board of religious education and elected by the general council.

Paragraph 3. The editors shall be advisory members of the board of publications.

The salaries of all editors shall be fixed by the general council and paid by the manager of Eden Publishing House.

The editorial policy and the size of the editorial staffs shall be determined by the general council which also shall finally approve the editorial budgets.

Section 170. The Manager. The manager of Eden Publishing House shall be nominated by the board of publications and elected by the general council. His salary shall be fixed by the board of publication subject to the approval of the general council.

Paragraph 2. The manager shall be an advisory member of the board of publications, to which he shall account monthly, delivering to its treasurer all the receipts except such funds as may be determined by agreement between the manager of Eden Publishing House and said board to be necessary for the conduct of the business of Eden Publishing House.

Article IX. The Board of Religious Education

Section 171. Membership. The Board of Religious Education shall consist of nine (9) members, at least five (5) of whom shall be pastors. The general conference shall elect five (5)

members, and these in turn shall elect the remaining four (4) members, subject to the approval of the general council. The executive secretary and the editors of the religious educational publications shall be advisory members of the board.

Section 172. Rights and Duties.

Paragraph 1. It shall be the duty of the board of religious education to develop and carry out a complete and harmonized program for all the agencies for religious education existing in the denomination; supervise the training of teachers and provide opportunities for such training; prepare and provide suitable material for all classes and phases of this work; direct the editorial policy of the religious educational publications, and promote the cause of religious education in the Synod.

Paragraph 2. It shall nominate the executive secretary and the editors of religious educational publications, who shall be elected by the general council.

Paragraph 3. It shall fix the salaries of their executive secretary and editors subject to approval by the general council.

Section 173. Organization. The board of religious education shall elect a chairman, a vice-chairman, a secretary, and a treasurer, who, together with the executive secretary and the editor-in-chief of religious educational publications, shall form the executive committee of the board, which shall have the power to act between sessions of the board, subject to its approval.

Article X. The Board for Ministerial Pension and Relief

Section 174. Membership. The board for ministerial pension and relief shall consist of five (5) pastors and four (4) lay members elected by the general conference, provided, however, that no person shall be eligible to membership on this board who himself receives a pension.

Section 175. Rights and Duties. The board of ministerial pension and relief shall administer and disburse all monies given for the pension and relief of incapacitated and superannuated ministers, commissioned workers, their widows and dependent children, according to the instructions given by the general conference. It shall be the duty of this board to secure endowments and to turn over all funds available for permanent investment to the board for endowment and trust funds.

Section 176. Organization. The board for ministerial pension and relief shall elect a chairman, a vice-chairman, a secretary, and a treasurer, who shall form the executive committee of the board, which shall have power to act between sessions of the board, subject to its approval.

Article XI. The Board for Endowment and Trust Funds

Section 177. Membership. The board for endowment and trust funds shall consist of two (2) pastors and three (3) lay members elected by the general conference.

Section 178. Rights and Duties. It shall be the duty of the board for endowment and trust funds to invest funds entrusted to its care in securities protected by a first mortgage or by government bonds, provided, however, that all such contemplated investments shall be examined and approved by three (3) members of the board before they are made. It shall pay interest to the proper beneficiary and shall render a semi-annual report to the various beneficaries of the amounts held in trust and the securities in which they are invested. Copies of this report shall also be sent to the members of the board of directors of the Synod.

Section 179. Organization. The board shall elect a chairman, a secretary, a treasurer, and two (2) trustees.

Article XII. Auxiliary Organizations

Section 180. Brotherhood.

Paragraph 1. Organization. The Evangelical Brotherhood, the officially recognized organization for Evangelical men, shall be governed by an executive committee consisting of the officers of the Evangelical Brotherhood and members at large elected by the Brotherhood in convention assembled, and three (3) pastors elected by the general conference. The executive secretary shall be an advisory member of the executive committee.

Paragraph 2. Rights and Duties. It shall be the duty of the executive committee of the Evangelical Brotherhood to organize and supervise the activities of the men of the church, as set forth in the constitution of the Evangelical Brotherhood and directed by the general conference. It shall cooperate with the boards in the promotion of the plans and programs of the Synod and shall be amenable to the general council.

The executive committee of the Evangelical Brotherhood shall nominate the executive secretary who shall be elected by the general council. It shall fix his salary subject to the approval of the general council.

Section 181. Evangelical Women's Union.

Paragraph 1. Organization. The Evangelical Women's Union, the officially recognized organization for Evangelical women, shall be governed by an executive committee consisting of the officers of the Union and members at large elected by the Union in convention assembled, and three (3) members elected by the general conference, two (2) of whom shall be pastors.

Paragraph 2. Rights and Duties. It shall be the duty of the executive committee of the Evangelical Women's Union to organize and supervise the activities of the women of the church as set forth in the constitution of the Evangelical Women's Union and directed by the general conference. It shall cooperate with the boards in the promotion of the plans and programs of the Synod and shall be amenable to the general council.

The executive committee of the Evangelical Women's Union shall nominate the executive secretary who shall be elected by the general council. It shall fix his salary subject to the approval of the general council.

Section 182. Evangelical League.

Paragraph 1. Organization. The Evangelical League, the officially recognized organization for Evangelical young people shall be governed by an executive committee consisting of the officers of the League and members at large elected by the League in convention assembled, and three (3) members elected by the general conference, of whom one (1) shall be a pastor and two (2) shall be lay members.

Paragraph 2. Rights and Duties. It shall be the duty of the executive committee of the Evangelical League to organize and supervise the activities of the young people of the church as set forth in the constitution of the Evangelical League and directed by the general conference. It shall direct the work among students of our communion attending institutions of learning. It shall cooperate with the boards in the promotion of the plans and programs of the Synod and shall be amenable to the general council.

The executive committee of the Evangelical League shall nominate the executive secretary who shall be elected by the general council. It shall fix his salary subject to the approval of the general council.

Section 183. The Federation of Evangelical Charities as the officially recognized independent organization for charitable institutions in the denomination shall be united to the body of the denomination through a standing committee of five (5) members, appointed by the board of directors of the Synod, which committee shall be a part of the board of directors of the Federation of Evangelical Charities.

Division 3. District Officers

Article I. Rights and Duties of the President of the District

Section 184. In respect of the Synod. The president of the district shall be the official representative of the district.

He shall be responsible for the enforcement of the constitution and by-laws of the Synod as well as the rules and regulations of the general conferences within the district.

He shall report any violation of the constitution and by-laws of the Synod and any infraction of the rules and regulations of the general conference by any congregation, pastor, commissioned worker, or by any district officer, or any district board, or any member thereof in the exercise of his official duty, to the district counsel with instructions to bring suit, if his investigation should warrant such action.

He is responsible for the ordination or commissioning, as the case may be, of all candidates assigned to him by the committee appointed by the board of directors of the Synod for that purpose.

He shall issue, sign, and seal all certificates of ordination, commissioning, and dismissal, keeping a complete record of the transactions, and send them to the president of the Synod for his signature.

He shall transmit to the district conferences such information regarding synodical affairs as requested by the officers and boards of the Synod, and he shall allow sufficient time on the program of the district conferences for the proper presentation and discussion of synodical affairs.

He shall make a quadrennial report to the general conference.

Section 185 In respect of the District. The president of the district shall be the chairman of the district council and shall conduct the official correspondence of the district.

All applications to and from candidates in the filling of vacancies within the district, both for pastors and commissioned workers, must pass through his hands. Unaffiliated pastors and commissioned workers may be proposed by him for any vacancy only upon recommendation of the commission appointed by the board of directors.

He shall provide for the installation of those who have been elected as pastors and commissioned workers.

He shall issue a certificate of transfer to any pastor or commissioned worker leaving his district for another, provided

Section 188.

The committee recommends that the words "when possible" be stricken as needlessly weakening the paragraph. It either is or is not the duty of the president to attend these conferences.

The committee also recommends that after the word "district" in the second line, the words "in his official capacity" be reinstated as being necessary to the understanding that he attends thesec onferences by virtue of his office.

the record of such pastor or commissioned worker is clear and no case is pending against him in the district court.

He shall keep an official district register, in which he shall keep the complete record of ordinations and a complete record of the congregations, showing the names and addresses of the officers, of candidates elected to the pastorate or any commissioned work and the tenure of office of such pastor or worker, which record shall be delivered intact to his successor in office.

He shall make an official annual report to the district conference, or if the district conference does not convene, direct to the congregations, pastors, and commissioned workers of his district, on his official acts and the condition of the district.

He shall submit all resolutions of the regional conferences in his district to the district conference and make such recommendations as seem necessary.

Section 186. In respect of District Finances. The president of the district shall supervise the finances of the district and shall have the power to investigate or have investigated by a certified accountant the books of the district.

He shall have the power to draw warrants upon the treasurer of the district for all legitimate expenses of the district or any person or committee acting upon his order or the order of the district, and without such warrant no money shall be paid out of the district treasury. It is his duty to issue such warrants for the expenses of the regular officers of the district and all standing committees or boards.

Section 187. In respect of Boards, Commissions, and Committees.

The president of the district shall be ex officio a member of every district board, commission, or committee.

He shall demand of them and submit to the district, annual reports of their work.

He shall supervise the work of all boards, commissions, and committees.

He shall have the power to appoint any committees for such specific tasks as may develop from time to time.

Section 188. In respect of Regional Conferences. The president of the district, when possible, shall attend all regional conferences in his district, and may submit to them, either in writing or verbally, such matters as may seem proper.

Section 189. In respect of Congregations, Pastors and Commissioned Workers, and Lay Members.

The president of the district shall have the right to address any communication to any congregation, or to any pastor, or to any commissioned worker, within the district.

He shall have the right to address any congregations in the district in any of their meetings or services, to bring to their attention such matters as the interests of the congregation, the district, or of the Synod may demand.

He may demand an account of the conduct of his work from any pastor or commissioned worker in the district.

Article II. Rights and Duties of the Vice-President of the District

Section 190. The vice-president of the district by his advice and counsel shall help the president of the district in the administration of his office and supervise such work as may be entrusted to him.

Section 191. In the event that the president of the district should die, or through long illness, or removal into another district, or withdrawal from the Synod, or resignation, or removal from office, or for any other reason be prevented from discharging the duties of his office, then the vice-president of the district shall assume all the rights and duties of the president.

Section 192. In the event that a vacancy should occur in the office of vice-president for any reason whatsoever, the remaining officers shall elect a vice-president to serve until the next regular district conference.

Article III. Rights and Duties of the Secretary of the District

Section 193. The secretary of the district, who is also the secretary of the district council shall record the minutes of the district conferences and shall have them printed after approval by the president of the district and the moderator.

He shall furnish an excerpt of the minutes for the synodical publications.

He shall assist the president of the district in the administration of his office.

Article IV. Rights and Duties of the Treasurer of the District

Section 194. He shall receive all monies for the district treasury, giving his official receipt for the same.

The treasurer of the district shall administer all funds of the district treasury.

Sections 195 and 199.

Add at the close, after a comma, "and they shall not be eligible to succeed themselves." Unless this addition is made, the character of the administration will change to an autocratic one. A term of six years is long enough, and a man should be ineligible at the conclusion of that term until the next district conference following the one in which he relinquished that office.

He shall pay all bills against warrants properly issued and signed by the president of the district.

Through the president of the district he shall make an annual report to the district on the administration of his office and on his receipts and expenditures.

He shall receive an annual salary of at least $1.00 and give bond to the amount required by the district council.

He shall assist the president of the district in the administration of his office.

Division 4. District Boards

Article I. The District Council

Section 195. The district council shall consist of the officers of the district and three (3) members at large, of whom one (1) shall be a pastor and two (2) lay members. These members at large shall be elected by the district conferences for a term of six (6) years, one (1) of the members to be elected at each conference.

Section 196. It shall be the duty of the district council to apportion the synodical budget, to determine and apportion the district budget, to appoint all committees, and to promote the work of the Synod as outlined by the general council. Its approval of the election by a synodical congregation of a non-synodical pastor and of the acceptance by a synodical pastor of a non-synodical congregation shall be required before such actions are valid. In the former case the approval shall not be given unless such pastor has made application for membership in the Synod. In the latter case the approval shall not be given unless such congregation has given definite assurance of synodical support.

Section 197. The district council shall meet twice each year. One of these meetings shall be held within two weeks after receipt of the district budget apportionment from the committee on finance of the general council. Special meetings are subject to call by the president of the district.

Article II. Number of District Boards

Section 198. There shall be five district boards: the district board for home missions, the district board for foreign missions, the district board of religious education, the district pension board, and the district board of examiners, and such other boards, corresponding to synodical boards, as the districts may determine.

Section 203.

Add to first sentence: "provided, however, that no pastor can be a member of this board who himself receives a pension."

It has always been considered unethical that any one should serve on any board whose decisions will benefit himself, and the church cannot afford to commit herself to actions that are considered unethical even in the business world.

Article III. Election of District Boards

Section 199. Members of all district boards shall be elected for a term of six years, each district conference electing one-third of the membership.

Article IV. Rights and Duties of District Boards

Section 200. The district board for home missions shall consist of six (6) members, of whom three (3) shall be pastors and three (3) lay members. It shall have the right to negotiate the call of pastors and lay workers for home mission service within the district, subject to approval of the synodical board for home missions. It shall be the duty of this board to study the need for new congregations, make recommendations to the synodical board for home missions for surveys and for the support of all fields in the district. It shall cooperate with the synodical board for home missions and encourage the congregations of the district to support the work.

Section 201. The district board for foreign missions shall consist of three (3) members, of whom two (2) shall be pastors and one (1) a lay member. It shall cooperate with the synodical board for foreign missions, encourage the holding of mission institutes, help to arrange the itineraries of visiting missionaries and induce the congregations to support this branch of the work.

Section 202. The district board of religious education and activity shall consist of six (6) members, of whom three (3) shall be pastors and three (3) lay members. It shall be the duty of this board to cooperate with the synodical board of religious education.

Section 203. The district pension board shall consist of three (3) pastors. It shall be the duty of this board to pass upon all applications for relief from the relief fund of the synodical system for pension and relief, and forward them to the secretary of the synodical board.

It shall also assist the synodical board in promoting the cause of ministerial pension and relief among the members of the district.

Section 204. The district board of examiners shall consist of three (3) pastors. When dealing with the applications of congregations two (2) lay members shall be added to the board. It shall be the duty of the board of examiners to pass upon the intellectual, moral, and spiritual fitness of candidates for ordination and shall make its recommendations to the general council. It shall also pass upon the credentials of pastors and con-

gregations desiring to unite with the Evangelical Synod of N. A., and make its recommendation to the ministerium, which body in turn shall make its recommendations to the district.

It shall represent in the district the cause of the educational institutions of the Synod.

Section 205. If a district is so small that it cannot elect all boards provided for herein, it may with the consent of the general council dispense with one or more boards. In that event the duties of the board or boards dispensed with shall be transferred to the district council.

Division 5. Regional Officers

Article I. Rights and Duties of the President of the Region

Section 206. The president shall be the official representative of the region. He shall have power to appoint all necessary committees. He shall supervise the work and activities of the region and its conferences, and issue warrants to the treasurer of the region authorizing him to pay the bills for the legitimate expenses of the region. He shall make an annual report to the region, and a biennial report to the district conference.

Section 207. It shall be his duty to keep the president of the district informed in regard to all matters pertaining to the welfare of the region, its pastors and its congregations, and to call his attention to such matters as require action by the president of the district.

Section 208. It shall be his duty to cooperate with the synodical and district officers, boards, and employees in any program or undertaking by which the welfare of the Synod is to be furthered in the region.

Article II. Rights and Duties of the Vice-President of the Region

Section 209. The vice-president shall assist the president in the exercise of his duties. In the event the president of the region should be prevented from discharging the duties of his office, the vice-president shall assume all the rights and duties of the president.

Section 210. It shall be his duty to supervise the benevolences of the region and to promote support for kingdom work.

Article III. Rights and Duties of the Secretary

Section 211. The secretary of the region shall record the minutes of the regional conferences, and if the regional confer-

Section 214.

Change "grave offense" to "felony" and strike the following phrase: "upon complaint being made by the board of the congregation or the Synodical board employing such pastor or commissioned worker."

The reasons for this proposed change are the following:

The paragraph deals with those rare cases where a minister has been guilty of an act punishable by law and is either awaiting indictment or is under indictment. The term "grave offense" is not recognized by law, and not being recognized or defined, the term could and would be defined in each instance by the district president, or the pastor would be laid open to possible persecution without warrant. Likewise the stricken paragraph, especially when taken in conjunction with the word "grave offense," opens the door to attack on the character of a minister before the court of gossip, something which this paragraph was intended to avoid.

ence so decides, he shall attend to the printing of the same. He shall assist the president of the region in the administration of his office.

Article IV. Rights and Duties of the Treasurer of the Region

Section 212. The treasurer of the region shall administer the funds of the regional treasury. He shall receive all monies given for the regional administration, giving his official receipt for the same. He shall pay all bills against warrants properly issued and signed by the president of the region. He shall make an annual report of the administration of his office and for receipts and expenditures to the regional conference, and a biennial report to the district through its president. He shall assist the president in the administration of his office.

CHAPTER D.—THE JUDICIARY

Division 1. Actions and Courts

Article I. Relation of the Administrative to the Judicial Authority

Section 213. The disciplinary authority vested in the administrative heads of the church and its various departments, that is, the right to counsel and advise, admonish and reprimand, shall be exercised in the following manner:

A) The president of the Synod, as the chief executive of the church, shall exercise such authority over the synodical officers, the administrative boards of the Synod and their employees, and the district presidents in so far as they exercise synodical functions.

B) The general administrative boards of the Synod shall exercise such authority over their employees and those under their supervision.

C) The presidents of the districts, as heads of the districts shall exercise such authority over the members of their districts, pastors, commissioned workers and congregations, and district boards.

Section 214. In the case of an alleged grave offense or misdemeanor of any pastor or commissioned worker of the Synod, the president of the district in which said member resides, upon complaint being made by the board of the congregation or the synodical board employing such pastor or commissioned worker, and having obtained the written consent of the president of the Synod, shall have the power to suspend such member from mem-

bership, providing the said district president shall immediately direct the counsel of the district to proceed against such member under the laws of the Synod. Failure to thus proceed within thirty (30) days after such suspension shall automatically terminate such suspension.

Article II. Classification of Actions

Section 215. The Synod recognizes two kinds of actions which may be brought before its judiciary, namely: A.) functional, B.) disciplinary.

A) Functional actions shall include all actions between synodical members, districts, and boards, regarding their respective synodical functions.

B) Disciplinary actions, shall include all actions by the Synod against any of its members, officials, or boards, or vice versa, involving breach of synodical laws.

Section 216. All complaints for functional actions shall first be submitted to the president of the respective district when the parties to the action, or any of them, are boards of said district, or members of such boards, or to the president of the Synod when the parties to the action are districts or synodical boards, for adjustment by conciliation on scriptural basis.

If the complaint in such action concern the president, then and in such event, the vice-president shall assume the authority herein before mentioned.

In case of failure of such attempted conciliation, the parties or any of them, may then submit their cause of action to the court of competent jurisdiction within the church.

Article III. Synodical Judiciary

Section 217. The judiciary of the Evangelical Synod of N. A. shall consist of district courts and the supreme court.

Article IV. Parties to Actions and Their Counsel

Section 218. Parties plaintiff or defendent in all actions brought in any court shall be members of synodical congregations under the control of the Synod, or synodical or district officers, members or boards, or members of boards.

Section 219. Such actions may be brought by the person, board, or congregation per se or by counsel. Such counsel may be a pastor or layman or professional attorney, provided, however, that no compensation shall be paid such counsel for his services as such, and provided that such counsel be a member of a synodical congregation.

Section 220. Members of any court shall not appear as counsel in any action before the court of which he is a member.

Section 221. District and synodical officers shall not appear as counsel in any action to which they are not a party.

Section 222. Disciplinary action may be brought against any person, board, or synodical congregation by the district or synodical counsel.

Article V. The Counsellors

Section 223. The newly elected synodical officers shall elect a counsellor for the Synod immediately following their election to serve for a period of four (4) years, and he shall represent the Synod in all actions.

Section 224. The newly elected district officers shall elect a counsellor for the district immediately following their election to serve for a term of two (2) years, and he shall represent the district in all actions.

Section 225. It shall be the duty of the counsel for the Synod or the counsel for the district, as the case may be, to prosecute all disciplinary actions in the name of the Synod or district, when he is directed to do so by the president of the Synod or the president of the district, and his investigation warrants and to represent the synod or district in all actions to which they may be parties.

Section 226. The synodical and district counsellors must be members of a synodical congregation.

Division 2. The District Courts

Article I. Formation of District Court

Section 227. Every district shall elect a district court every four (4) years, which district court shall be composed of three (3) pastors and two (2) lay members.

Section 228. This shall constitute the court of first resort for all functional actions in which the parties, or any of them, are pastors, congregations, district officers or boards, and for all disciplinary actions in which the accused is either a pastor, a congregation, a district board, or an officer of the district, in so far as he exercises district functions.

Section 229. The court shall have jurisdiction over the conduct of any of its members while in the exercise of their official duties.

Article II. Qualifications of Judges

Section 230. No two (2) members of the judiciary shall be connected with the same congregation, either as pastor or member. Only one (1) member of any district board may be elected

to the judiciary, and then only when the number of pastors in the district is inadequate to establish otherwise a judiciary in the district.

Section 231. Pastors are eligible for the judiciary who have been members of the Synod for at least five (5) years, and who do not hold a district or synodical office.

Section 232. Laymen are eligible for the judiciary who have for five (5) years immediately preceding the election held membership in a synodical congregation.

Section 233. If a vacancy occurs within the period between elections, the district council shall fill said vacancy by unanimous vote, and such member so elected shall serve until the next district conference following his election.

Article III. Organization of District Court

Section 234. The district court shall meet within thirty (30) days after its election and shall elect one (1) of its number to serve as chief justice, and shall elect a clerk who, however, shall not be a member of the court, and the members of the district council shall be notified of such election.

Section 235. In the event of charges being filed against a commissioned worker, the court, as above constituted, shall elect a commissioned worker, provided there is one residing in the district, who shall sit as a member of such court in the trial of said cause with equal power and authority as that of the regular members thereof.

Section 236. The district court shall convene at a term to be fixed by such court in the event that actions are pending and awaiting consideration, or at any other time when conditions and circumstances warrant in the opinion of the chief justice.

Section 237. All decisions of the district court shall be determined by majority vote.

Article IV. Jurisdiction of District Court

Section 238. Every affiliated member of the Synod who lives within the territory of the district, and the officers and members of the boards of the district, as such, are amenable to action in this court.

Section 239. All disciplinary actions brought in this court shall be brought by and through the district counsel. All functional actions brought in this court may be brought by the plaintiff or plaintiffs per se, or through counsel; by any synodical member, by persons who, having been formerly affiliated with a synodical congregation, wish to bring action for unjust

expulsion and by the district through its president, provided, however, that the district shall always be represented at the trial of any action in which it is involved, by its district counsel.

Section 240. Upon obtaining information of the violation of a synodical law by any synodical member it shall be the duty of the district president to forward such information to the district counsel who shall make due investigation and, if the facts warrant, institute the proper action in the name of the district, as plaintiff, before the district court.

Section 241. No action shall be brought by or against any person, persons or body who or which are not under the jurisdiction of the Synod.

Section 242. The District Court shall have jurisdiction only over actions of which the defendant is a member of the district. If, however, the offense involves a violation of the synodical law and such violation occurred in another district than that of defendant's residence, and charges have been filed in such other district against such defendant, the defendant shall be cited to appear before the court of such other district, by the chief justice of his own district, after such chief justice has received a copy of the complaint and has given the defendant an opportunity to show cause why he should not be cited to appear before such other court, if such chief justice shall find that such charges so made, if proven, constitute a violation of such synodical law and that there are reasonable grounds for such charges.

Section 243. If the chief justice of such court shall find that such charges, if proven, do not constitute a violation of synodical law, or that there are no reasonable grounds for such charges being filed, he shall have the power to refuse to order said defendant to appear before the court of such other district.

Section 244. All actions, whether disciplinary or functional, shall be brought within two (2) years from the date of the commission of the act complained of.

Section 245. The members of mission districts shall be subject to the jurisdiction of the district to which such mission district shall be assigned by the board of directors of the Synod.

Section 246. The supreme court shall be the court of first resort in all actions in which one of the parties is engaged in the foreign mission service of the Synod, and is at the time of the institution of the action actually residing in a recognized foreign mission field of the Synod, providing, however, that at the trial of such an action only written depositions of all parties and witnesses therein shall be considered, and no personal tes-

timony shall be offered or received in such action, unless the parties thereto agree in writing therefor.

If all of the parties to an action are engaged in the foreign mission service of the Synod, and at the time of the institution of the action reside in a recognized foreign mission field of the Synod, the board of directors shall appoint a special court of three (3) members residing in a foreign mission field of the Synod, the said members possessing the qualifications required of members of a district court.

A special court so constituted shall be vested with full jurisdiction over the action, subject to appeal to the supreme court, and shall have all of the powers of a district court.

Article V. Filing of Action

Section 247. All complaints brought before the district court shall be filed with the chief justice thereof, in writing, signed by the party or parties instituting such action.

Section 248. The chief justice shall immediately inform the president of the district of the filing and pendency of such action, naming the parties involved and the nature of the allegations contained in such complaint.

Section 249. A cause of action may be dismissed by the plaintiff at any time before final judgment by the filing of a written motion to that effect with the chief justice of said court, and the payment of the costs incurred. No other person than the chief justice of such court may order such case dismissed upon such motion being filed.

Article VI. Complaints and Their Form

Section 250. A complaint must contain the following (a) The name or names of the persons or bodies by and against whom the action is instituted, if against a person or persons, the name or names and location of church or churches to which he or they are presumed to belong. (b) the name of the court in which such complaint is filed and the date of such filing. (c) the offense charged in concise form. (d) a copy of the section of the constitution or by-laws violated. (e) the signature and address of the person or persons instituting such action, the church or churches to which they belong, and address or addresses of the defendants named therein. (f) the names and addresses of the witnesses for plaintiff shall be endorsed on the back of such complaint, together with the title and nature of the action.

Section 251. If such complaint does not sufficiently state a cause of action, the chief justice shall refer the same back to the plaintiff for amendment, stating wherein such complaint is insufficient.

Section 252. If the complaint is filed by any person other than the president of the district, the chief justice may demand a written guarantee to cover the costs to be incurred in the trial of said cause and the preparation for trial, or the deposit of a reasonable sum of money in lieu of same. The party against whom judgment is rendered shall pay the costs of such proceedings and the court shall order the return of any money, which may have been deposited, to the person or body depositing the same, in the event that a judgment is rendered in favor of the party so depositing said money.

Section 253. Each member of the court shall be furnished with a copy of the complaint, by the plaintiff, and in addition thereto the plaintiff shall furnish an additional copy for defendant's use.

Section 254. At the time that such complaint is filed the plaintiff shall have the right to challenge one (1) member of such court, without cause, which challenge shall be in writing and accompany such complaint.

Article VII. Answers to Complaints and Their Form

Section 255. If the complaint is found to contain sufficient facts to constitute a cause of action, it shall be the duty of the chief justice to send a copy thereof, by registered mail, or cause said copy to be delivered to him in person, to the defendant who, within ten (10) days after the receipt thereof, shall file his answer thereto, including a copy for each member of the court and one for the plaintiff.

Article VIII. Hearings

Section 256. When the issues have been thus closed it shall be the duty of the chief justice, acting upon the suggestion of the remaining members of the court and the parties, to fix a date and place within the district for the hearing of such cause, and notify the members of the court and the parties to the action, and subpoena all witnesses to appear at such time and place designated for such hearing.

Section 257. The court shall have the power to compel the attendance of witnesses and upon their failure or refusal to attend such trial, at the time and place fixed, they shall be liable for contempt of court and may be expelled from the

Synod by the order of said court, unless they have good and sufficient excuses for their absence.

Article IX. Failure to Appear

Section 258. A party plaintiff or defendant who does not appear at the time and place fixed for the hearing of said cause, and who does not furnish a valid reason for his failure to appear, shall bear the costs incurred in the preparation for such trial, provided, however, that the absence of one of a number of plaintiffs or defendants shall not preclude the court from hearing said cause in his absence, as to the remaining parties.

Section 259. If the plaintiff consists of one (1) person or body only and such person or his duly authorized representative shall fail to appear at the time and place fixed for the trial, the complaint so filed shall be dismissed by the court, at said plaintiff's cost. Upon the failure of defendant to appear the cause shall be tried in his absence.

Article X. Challenges and Their Exercise and Waiver

Section 260. Both the plaintiff and defendant shall each have the right to challenge one (1) member of such district court, without cause, provided, however, that no more than one (1) challenge can be made by either side, irrespective of the number of parties involved in the action. Such challenge shall be submitted in writing by the plaintiff and defendant, at the time of the filing of their complaint and answer respectively.

Section 261. The members of the court remaining after such right of challenge has been exercised, in the event that either party desires to take advantage of such right, shall conduct the trial of said cause. Such trial court must contain at least one (1) lay member. In the event that the chief justice of said court is challenged by either party, the members thus remaining unchallenged shall select a presiding justice and other necessary officials from among their number.

Section 262. Upon failure by either party to exercise the right of challenge at the time herein provided, such party shall thereby waive such right.

Section 263. Any member of the court may be excused from acting in that capacity, upon the request of such member, and after the written consent of all parties to the action has been obtained, if the court shall find that the reasons assigned by such member thereof are good and sufficient, and warrant the relief prayed for.

Section 265, 3.

The committee recommends that the term "charging" be substituted for "addressing".

Section 275.

The last sentence should read: "In case of a tie vote, the case should be retried."

The committee is of the opinion that if a tie vote constitutes the dismissal of the plaintiff's suit, it will be impossible to have any confidence in our judiciary. The result would be to throw all these cases into the state courts, which is exactly what we want to avoid on Biblical grounds.

Article XI. Mode of Procedure

Section 264. The mode of procedure shall be as follows:

1) Prayer and scripture reading by a member of the court.
2) Reading by the chief justice of the complaint and the answer.
3) Calling, addressing, and hearing of the witnesses, viz., first the witnesses for the plaintiff and then the witnesses for the defendant.
4) Summing up of the testimony and arguments.
5) Rendering of the verdict.

Section 265. Witnesses shall be questioned by the respective parties or the person representing them as their counsel.

Section 266. Every witness after his testimony shall be turned over to the opposing side for cross-examination.

Section 267. The plaintiff may offer evidence in rebuttal at the close of the defendant's case. Such evidence, however, shall only be in rebuttal of evidence offered by the defendant.

Section 268. Witnesses, excepting parties to the action, shall not be present at the hearing until after they have given their testimony, and at the discretion of the court may be excluded even then.

Section 269. Any member of the court shall have the privilege to question the witnesses.

Article XII. Rules of Evidence

Section 270. Only relevant, material, and competent evidence shall be admissible, and no heresay evidence or conclusions of witnesses shall be received.

Section 271. The chief justice shall pass on all objections to testimony, and may of his own motion reject improper evidence.

Section 272. No member of the court shall express any opinion which would prejudice the case either way, or indicate his attitude in the matter prior to a decision thereon.

Article XIII. The Verdict

Section 273. The verdict shall be decided by a majority vote of the trial court, a tie vote shall constitute a dismissal of the plaintiff's suit.

Section 274. No one other than the trial court shall be present upon the deliberation and vote on a verdict.

Section 275. The verdict shall state definitely, in regard to every point of the complaint, which was not rejected during the hearing, whether the charges are sustained or not sustained.

Section 276. When the action concerns an official act or resolution of an officer or board or member thereof of the district, the verdict must state definitely which official acts or resolutions, and in how far, are annulled or declared effective.

Section 277. If the action is a functional action and agreement is reached between the parties before judgment has been rendered, the court shall dismiss the action upon payment of cost by the parties or either of them.

Section 278. A disciplinary action can not be settled by agreement but judgment must be rendered.

Section 279. The verdict of guilty shall always assess a definite penalty.

Section 280. The verdict, together with a copy of the evidence upon which it is based, shall be delivered to both parties signed by the chief justice and the clerk of the court. The district president shall be informed of the verdict and of any resulting appeal.

Article XIV. The Penalty

Section 281. The penalty to be assessed against a member found guilty of the charges filed shall consist of: Judgment to pay a portion or all of the court costs; published reprimand in the duly authorized publications of the Synod; suspension of rights as a member of the Synod for a period of not more than two (2) years, or expulsion from the Synod, notice of which is to be published in the duly authorized publications of the Synod. In cases of moral delinquency, the defendant's certificate of ordination shall be revoked and he shall be expelled from the Synod, notice of which shall be published as above.

Section 282. When the court costs have been assessed against a member of the Synod and said member fails to pay such costs within six (6) months after the verdict, then the court shall cite such member to show cause why he should not be expelled from the Synod and upon failure to appear or failure to show cause shall institute proper proceeding to expel him.

Article XV. Court Costs

Section 283. The district shall guarantee to the members of the court, including the district counsel, reimbursement of their expenses whether the party against whom the costs are assessed pays them or not. The expenses shall consist only of railroad fare and other legitimate expenses, including clerical assistance at the trial.

Section 284.

In the last line, the words "institute proper proceedings to" should be stricken and the word "so" substituted, as in the original draft. The court expells and does not institute proceedings for expulsion, because neither the constitution nor the by-laws make any provision for such expulsion except through the courts. Unless this change is made, the courts would be powerless to enforce their verdicts.

Article XVI. Appeals

Section 284. A respite of thirty (30) days is permitted the losing party for the purpose of an appeal from the decision of the district court. If an appeal is taken, the clerk of the district court shall submit the record in the case, consisting of the verdict of the court, and the copy of the evidence upon which the verdict is based, or a certified copy of the same, and without further comment, to the supreme court.

Section 285. All costs incurred in the trial by the district court shall be paid by the losing party before an appeal is taken by him, unless otherwise determined by the district court, and such costs so paid shall be ordered refunded to said appellant, by the supreme court, in the event the decision of the district court is reversed.

Section 286. The party appealing may be required to give a guarantee for the costs of the appeal to the supreme court.

Division 3. The Supreme Court

Article I. Formation of Supreme Court

Section 287. The general conference of the Evangelical Synod, immediately following the election of its officers, shall elect the members of the supreme court, consisting of seven (7) pastors and six (6) lay members. There shall also be elected two (2) commissioned workers, who in the event the action involves a commissioned worker, shall be elgible to sit as members of such supreme court, provided, however, that in such a case said trial court shall contain at least one (1) commissioned worker.

Section 288. This court shall have the exclusive right to pass on all constitutional questions, and such decisions are to be determined by a two-thirds vote of its entire membership.

Section 289. This court shall be the appellate court for all actions duly appealed from a district court.

Section 290. This court shall be the court of first resort for all functional actions in which the parties are districts or synodical boards, or where the Synod, as such, is a party to the action.

Section 291. This court shall be the court of first resort in all disciplinary actions in which the accused is an officer of the Synod or a synodical board, or a member or employee of a synodical board, in their official capacity, or district presidents, in so far as they exercise synodical functions.

Article II. Manner of Elections

Section 292. Candidates for the office of judges of the supreme court shall have been members of the Synod for a period of not less than ten (10) years.

Section 293. No two (2) members shall be connected with the same congregation, either as pastor or as lay member, or as a commissioned worker.

Section 294. Members elected to the supreme court shall hold no other office in the Synod or any part thereof. If the election to the supreme court is accepted at the time of election, any office or offices held by any member or members so elected shall automatically become vacant.

Section 295. If, during the period between two (2) general conferences, a vacancy shall occur in the court, the board of directors by a ¾ vote, shall fill such vacancies, and the member or members so elected shall serve until the next regular general conference.

Article III. Organization of Supreme Court

Section 296. The members of the supreme court shall meet within one (1) month after their election and organize by electing their chief justice and clerk, which clerk shall not be a member of the court, and their names shall be published in the official publication of the Synod.

Section 297. The supreme court shall convene within two (2) weeks after Easter, in the event actions are pending and awaiting consideration, and at any other time when conditions and circumstances warrant, in the opinion of the chief justice, or of a majority of the court. The general counsel shall attend all sessions of the Supreme Court to advise the members thereof in all cases except those in which he is prosecuting attorney.

Section 298. All decisions of the supreme court, excepting where constitutional questions are involved, shall be determined by majority vote.

Article IV. Jurisdiction of Court

Section 299. An action may be brought in the supreme court only when it is an appeal from the decision of a district court, or when a constitutional question is involved, or as provided in section 291 of these by-laws.

Article V. Appeals

Section 300. An appeal shall be composed as follows: The appellant in a communication to the chief justice of the supreme court shall designate the errors charged in the proceedings be-

fore the district court or in the verdict itself, which statement shall be substantiated by citations from the constitution and the by-laws of the Synod and the resolutions of the general conference. This communication, together with the record of the case, shall be sent by the chief justice with his opinion to the other members of the supreme court, who shall also render their opinion in writing. If the opinion of the majority of the members of the court is in substantial agreement, a decision shall be rendered. If a decision cannot be arrived at by this process, then all appealed cases shall be postponed until the supreme court convenes.

Section 301. If the court shall find that the grounds named in the appeal are insufficient, the same shall be rejected, and the decision rendered by the district court shall be affirmed. If, however, it shall find that the appeal is justified, it must, according to the nature of its findings, decide as follows:

1) To annul or amend the decision,

2) To refer it back to the district court with instructions, which instructions shall direct the district court either to investigate certain additional points, or review or retry the case.

Section 302. The supreme court shall decide who must bear the cost of the proceedings when a case is amended, annulled, or remanded.

Section 303. If the costs are not paid by the one adjudged to do so the supreme court shall proceed in the manner prescribed in Article XIV, Section 2 of this division of the by-laws.

Article VI. Other Actions Before the Supreme Court

Section 304. When the supreme court sits as court of first resort, it shall be bound by the same rules of procedure as govern the district courts as laid down in Articles V—XV of Division 2 of this chapter of the by-laws where applicable.

Section 305. When the action involves a question of constitutionality the complaint must contain a motion to annul the actions or resolutions against which complaint is made, and shall cite articles of the constitution and by-laws of the Synod on which complaint of unconstitutionality is based.

Section 306. The complainant in such cases must give a guarantee for the cost of the proceedings.

Section 307. The complaint with the motion to annul shall then be submitted by the chief justice to the defendant with the request that he or they show why such actions or resolutions should not be declared void and annulled.

Section 308. The decision in all such cases shall be published in the official publications of the Synod.